



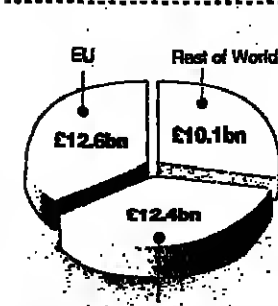
In *The Guardian* G2 today: The agony of the families whose babies were switched at birth

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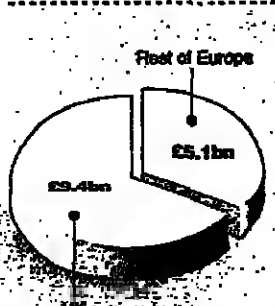
Other EU members all do more trade with each other □ Investment figures likely to be seized on by Eurosceptics opposing euro

Economy moves Britain closer to US

UK investment



US investment



Martin Walker in Brussels

MARKET forces are driving the economy closer to the United States, despite government appeals for Britain to prepare for the European single currency. The US invested almost twice as much in Britain last year as in the rest of the European Union. And Britain alone accounted for two-thirds of all European investment in the US. Investments nearly as much there as it did in Europe.

Britain is by far the biggest foreign investor and the biggest European recipient of foreign investment, and of all the EU countries it trades least with its European partners. As a result, it is far more integrated into the global economy than the rest of Europe, according to the latest annual investment surveys published yesterday by Eurostat, the official statistical arm of the EU. The difference in investment patterns between France and Britain, the two biggest recipients of foreign investment, is extraordinary. Britain last year received \$21

billion, of which just over a quarter came from other EU countries. France received \$14 billion in foreign investment, more than two thirds of it from other EU members. The Netherlands, Belgium, Italy, Austria, Finland, Spain and Portugal all reveal the same pattern as France, of foreign investment coming overwhelmingly from EU partners. From next year, this will no longer be counted as foreign investment, but as an internal EU transaction in euros. At that point, Britain's clear preference for the US over Europe will be all the more dramatic in the statistics.

The figures are likely to be seized on by Conservative campaigners for Britain to join the North American Free Trade Association, as recommended by the Speaker of the US Congress. Republican Newt Gingrich, the EU trade commissioner, Sir Leon Brittan, has warned Conservatives that joining Nafta is not legally compatible with remaining in the EU, but the idea is championed by eurosceptics as an alternative to Europe. The new investment statistics are matched by Eurostat's trade figures. On average EU members do two-

thirds of their trade with other EU countries. Britain lags behind, with the EU accounting for only 64 per cent of its combined exports and imports. The Eurostat investment figures, which cover the whole of 1997, take little account of the Asian financial crisis which has stalled Korean and Japanese investment in Britain, or of the decision by Siemens of Germany to abort its computer chip factory in the North-east. Britain remains a huge net investor abroad, sending out over \$25 billion last year, while foreign companies in-

vested only \$21 billion in Britain. But this capital flow from Britain was dwarfed by Germany, which suffered net disinvestment last year, as foreign companies closed or wrote off their operations in Europe's biggest economy. Meanwhile German companies looking for cheaper labour invested \$20 billion abroad, 26 per cent more than in the previous year. These foreign investment figures are closely watched by trade unions, as well as by governments and investors, because money invested overseas can mean investments and jobs forgone at home.

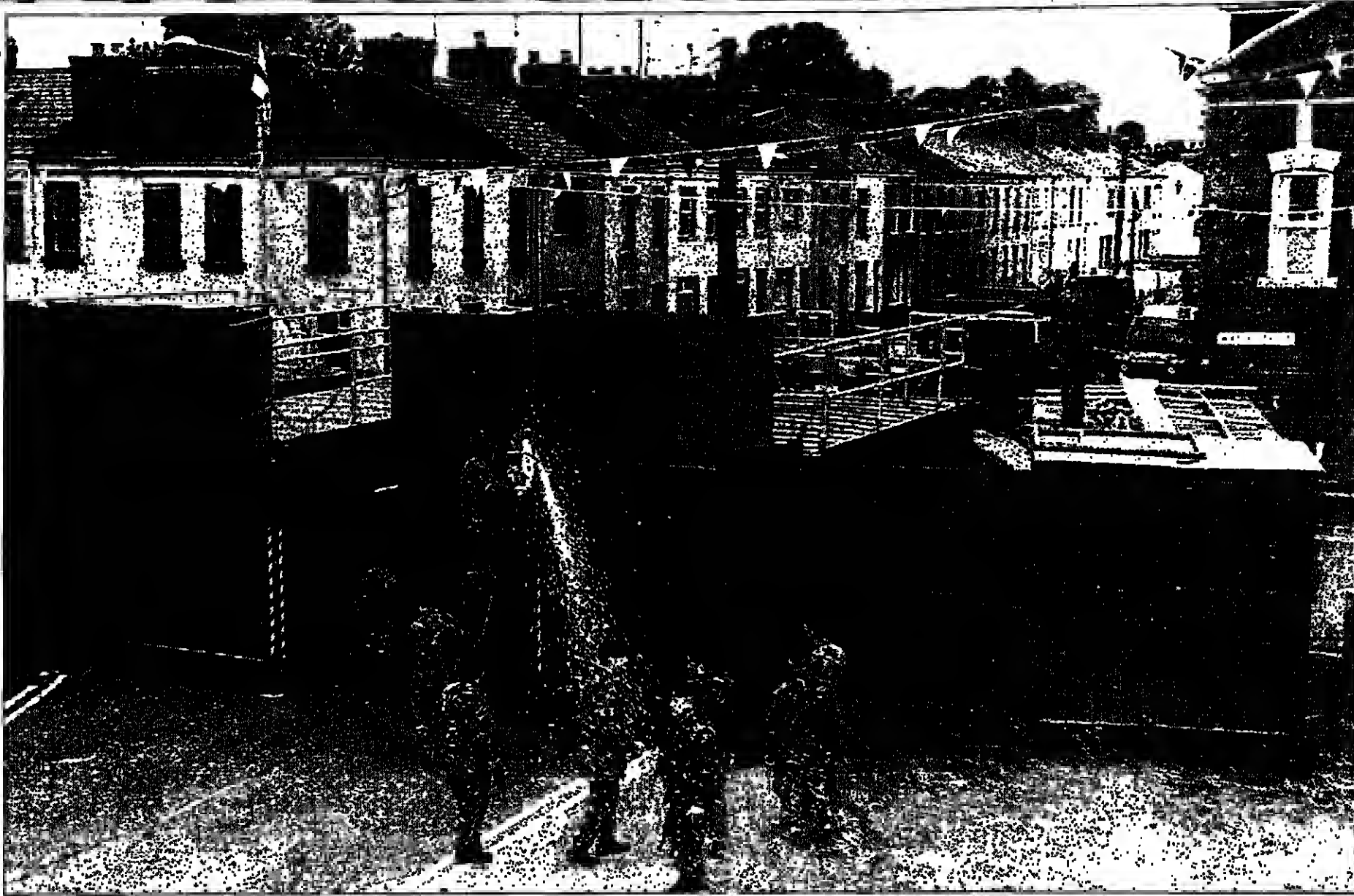
Police officer beaten at World Cup out of coma

Jon Henley in Paris

DANIEL Nivel, the policeman savagely beaten and left in a coma by German hooligans during the World Cup, has recovered consciousness and can now breathe without a respirator, hospital officials in the northern French town of Lille said yesterday. "Six weeks after sustaining a serious head injury, the police officer regained consciousness on Monday. He no longer requires respiratory assistance and can spend several hours a day sitting in a chair," said a spokesman at the Lille Hospital Centre, where Mr Nivel was taken after the attack on June 21. "He still has major problems with speaking and understanding, and the muscles on the right side of his body are badly weakened. But we are planning no further surgery and he should be moved to a rehabilitation centre within the next few weeks."

German politicians and media.

German police in Hanover on Friday arrested a fourth suspect after examining photographic and video evidence sent in by supporters. The man, identified as Christopher R, aged 23, has been charged with attempted murder. "The German police are tackling this with absolute dedication," a Lille police spokesman said. "They are going well beyond the requirements of the formal request for co-operation." Two Germans arrested in Lens soon after the incident, Karl-Heinz Eisechner and Markus Warnecke, are not now believed to have played a major role in the assault, although Mr Warnecke is still in custody in Lille. The German magazine Der Spiegel published on Monday a detailed account of the attack, which was not denied by the state prosecutor in Hanover. It suggested that 100 German fans, running away from police, sprinted into the narrow street where Mr Nivel and two colleagues were guarding police vehicles. The two other policemen fled, and a smaller group of 20 fans then attacked Mr Nivel. The German Football Federation has collected some £200,000 from clubs and German police for a Daniel Nivel foundation, while newspapers have raised nearly £100,000 for the family. A benefit match between former French and German internationals is scheduled for September 20 outside Strasbourg.



Soldiers putting a gateway in a barrier across Garvaghy Road last month. Protestants in the predominantly Catholic road want a 'peace wall' to protect them. PHOTOGRAPH: JOHN GILES

Wall may split Portadown

Garvaghy Road Protestants seek protection from sectarian attack

Rory Carroll

THE Government is considering building a "peace wall" on Portadown's Garvaghy Road to protect a Protestant enclave which claims it is under siege from Catholics. The barrier would become the first such in Northern Ireland outside Belfast, but would not affect the annual stand-off when Orangemen seek to march down the road from Drumcree Church. The move has enraged Catholics who claim they are the persecuted minority in Portadown, which is 80 per cent Protestant and the heartland of the terrorist Loyalist Volunteer Force. However, Kenny McClinton, a pastor, said a clump of

Protestant houses at one end of the predominantly Catholic road was regularly attacked. "People need to feel safe in their homes. Everybody knows the negative aspects of a peace line but unfortunately it is a necessity for the area." Protestant residents said they resented Catholics manipulating the media into giving them the "monopoly" victimhood during the Drumcree stand-off. "No one listens when we say what's going on. It just sickens you when they go on about the siege when it's us that's being attacked," said a woman who identified herself only as Louise. Catholics, however, scoffed at the planning application. "If they want to build peace lines in Portadown I can show them where to build them. There are Catholic communi-

ties here under nightly attacks by loyalist mobs," said Brendan MacDonagh, spokesman for the Catholic residents. Gangs have regularly beaten Catholic youths, once fatally, within yards of police Land Rovers. Teenagers say they are unable to go into Portadown high street for fear of being identified. Belfast has up to a dozen reinforced walls separating the two communities. The main peace line between the Falls and the Shankhill Road stretches for three miles. In Londonderry permanent fences separate Catholics and Protestants. Opinion is split over whether the barriers enhance security or spawn deeper divisions and marginalise communities. Catholics described the request for a peace wall as either cheeky or a propaganda attempt by Protestants to reclaim moral high ground.

They denied that stones were thrown at Protestant homes. Brid Rodgers, of the Social Democratic Labour Party, said: "It really would be a step forward if people could negotiate instead of building more walls leading to further isolation between the two communities." The Northern Ireland Office confirmed a request for a peace line was being considered. "We have received a number of requests including from elected representatives for a peace line at the lower end of the Garvaghy Road. We are currently taking advice for a variety of sources including the RUC and will be considering this advice. No decision has yet been made." Portadown Orangemen are continuing to lodge applications with the Parades Commission to march down the Garvaghy Road. A few brethren are maintaining a token presence at the barrier blocking the route.



Daniel Nivel: attacked by gang of German hooligans

Committee rift over role of spokesman Campbell

continued from page 1 that at the end of the day there is no evidence that he stands up and says 'Vote Labour, all Tories are bastards'."

Labour members also rejected a Tory amendment calling for lapses of lobby briefings with journalists to be kept for 12 months, rather than wiped after a few weeks as at present. The Labour MPs claim the Tories are drawing absurd parallels between the twice-daily media briefings and private phone calls taped during the Watergate scandal. MPs on all sides agree that the 1,000-strong Government Information Service, which was meant to be the focus of the inquiry, is overstretched.

Praise Wayne and pass the marge

Review

Adam Sweeting

Wayne Sleep Coliseum, London

THINGS are not running smoothly in Wayne's world. Last week, the famously compact ballet found himself in the middle of a bad-tempered interview in the Evening Standard. On Sunday, on the eve of his season at the Coliseum, one of his dancers sprained an ankle and forced the company into frantic readjustments.

After the opening salvo of Dashi in UV, a riot of pinks, greens, lilacs and pale blues, set to twinkling chamber music, Wayne paused to tell his audience: "These things happen. Dancers are like highly strung racehorses. But we decided the show must go on." If the whole lot goes pear-shaped, he added, would we mind awfully not minding too much? A sympathetic crowd applauded enthusiastically. In the event, the proceedings whirled along with commendable efficiency, and if there was a lack of passion and heart-stopping drama, that was more to do with the choice of pieces and the deliberate easy-watching tone than with backstage glitches.

The things in Sleep's favour are his eclecticism and his willingness to be naïf in the cause of show business. Above all, we should congratulate the exuberant little fellow for acknowledging that nine out of 10 punters, including your correspondent, find that the rituals of classical ballet provoke a few seconds of spluttering disbelief, followed by a profound coma which can only be reversed by powerful shots of vodka. Not that we got away too readily. Wayne was eager to showcase his Estonian guest stars, Thomas Edur and Agnes Oakes, and that old-fashioned stuff is their stock in trade. They gave it maximum spunkiness and white satin waistcoat

in the Act 3 pas de deux from Sleeping Beauty, and did all that banging-your-feet-together-in-mid-air business in the pas de deux from Giselle. Far superior was the Kirk Peterson choreography in L'Après Midi d'un Faune, where the show generated some semblance of an erotic charge, while there was some welcome sardonic wit in William Kemp's It Takes Two To ... a very tableau of a three-way relationship. Duty compels us to note Sleep's Tribute To Diana, a glitzy doll of tackiness against a giant backdrop of Sleep and the princess dancing at Covent Garden. As official Diana merchandise goes, I'll take the margarine.

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Charity People

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The Guardian

سكيبا والاس



Volcanic ash belching terrifyingly over the Soufriere Hills on Montserrat last July, when 15 people were killed as the volcano erupted and survivors were forced to flee to the north of the Caribbean island and appeal for aid from Britain



Robin Cook — Foreign Secretary

Rival government departments accused of causing 'tensions and inefficiencies', and a 'lack of political will' amid power struggle



Clare Short — International Development

Ministers caught in Montserrat fallout

Robin Cook and Clare Short are blamed for the shambolic handling of the island volcano disaster, Ewen MacAskill reports

STINGING criticism of the Foreign Secretary, Robin Cook, and the International Development Secretary, Clare Short, was delivered yesterday by MPs investigating the aftermath of the Montserrat volcano disaster.

A Commons International Development Committee report complained of poor co-ordination between the two Cabinet ministers' departments, "unnecessary tensions and inefficiencies", and a "lack of political will".

The Conservative spokesman on development issues, Gary Streeter, said the report showed it was impossible to tell who was in charge in the Department for International Development (DFID).

"Is it Robin Cook or Clare Short who will take responsibility for the Montserrat shambles? What specific steps will be taken to ensure there is no more of this bungling incompetence?"

When the volcano erupted in July last year on the Caribbean island, a British dependent territory, killing 19, survivors fled to the safer northern part of the island and the Royal Navy was sent to help.

Ms Short ran into controversy over her reported response to a request from the Montserratian government for help from the UK. "They'll be asking for golden elephants next." But she said it was taken out of context.

Scientists are investigating the risk of further big eruptions from the volcano.

'What steps will be taken to ensure there is no more of this incompetence?'

The all-party committee protested that a report it issued last November pointing out flaws in the relationship between the two departments had been largely ignored.

A spokesman for the Department for International Development yesterday rejected the criticism, insisting many of the problems had been ironed out.

"We think we have made progress and it is beginning to bear fruit," he said. A £75

million sustainable development plan was being implemented to help the islanders.

The Foreign Office said: "We have arrangements where the two departments have revised structures in place or coming into place."

The Montserrat disaster highlighted a turf war between the Foreign Office and DFID. Before the general election, DFID's predecessor, the Overseas Development Agency, had been part of the Foreign Office, and there was resentment in the Foreign Office when it was made a separate department.

In an earlier report, the select committee complained of unnecessary duplication and lack of co-ordination between the two departments, and argued that dependent

territories had decided to maintain the existing situation, which meant future rescue operations were likely to run into problems.

The committee, in its most damning passage, said: "Experience over Montserrat suggests that when difficult decisions have to be taken quickly this spirit of co-operation between the departments is placed under severe strain."

"There will always be unnecessary tensions and weaknesses if DFID money is used to fund Foreign and Commonwealth Office political priorities."

The MPs added: "The real reason for a continuation of the status quo is a lack of political will, a point effectively admitted by Clare Short who agreed with the committee that the dependent territories involved a different set of responsibilities than the rest of our aid and development responsibilities." The Conservatives said the report exposed the Government's handling of international development as a "shambles".

The committee pointed out that over the next three years aid for Montserrat will amount to £25,000 for each resident, compared to the equivalent of 11p a year given to each inhabitant of India. It welcomed expenditure on Montserrat, saying Britain "has a duty to reconstruct society on the island and ensure that a viable future is secured".

US court jails sky rage attacker

Judge praises off-duty pilot as in-flight hooliganism rockets

Christopher Reed in Los Angeles

AN OFF-DUTY pilot on an airliner that two passengers threatened to bring down in a "sky rage" attack told a Los Angeles court yesterday that he was so alarmed he considered killing the woman assailant with an axe to prevent her from entering the cockpit.

In one of the harshest sentences handed out during a spate of similar offences, the male assailant, Thomas Kasper, was sentenced to three years in prison for causing the flight disruption.

His companion, Susan Callahan, was earlier sentenced to two years in prison for attempting to enter the cockpit.

In delivering the sentence, the federal judge Dickran Terizian told the off-duty pilot he would have been "justified" in using the axe "to save that plane and those passengers".

The judge said: "This business of disrupting airline flights is getting more serious every day."

The court heard that Kasper boarded the Continental Airlines plane carrying 130 passengers from Houston to Los Angeles while he was under the influence of amphetamines. After stewards

had denied his request to be upgraded to first class, he went to the front of the plane and shouted: "We're taking this plane down."

Kasper tried to open the emergency door, and a flight attendant, Marlene McDonnell, went to stop him. As they struggled, Kasper seized two coffee pots and began brandishing them, scolding McDonnell's hands.

During this skirmish Callahan ran towards the cockpit door, a court heard at her trial earlier this year. It was then that the off-duty pilot stopped her.

Yesterday the judge also ordered Kasper to pay the stewardess \$10,000 (£6,130) in compensation.

In flights to and from Britain in the past five years the number of disruptive passen-

gers removed from aircraft has increased fourfold. Crew members have been assaulted, passengers threatened and cabins damaged.

More than half those arrested for serious disturbances on board flights in and out of Britain last year were classed as either drunk or on drugs, and one in 10 had to be handcuffed.

Roy Humphreys of the UK Flight Safety Committee said: "I hope it's not going to take a crash before the authorities start taking this problem seriously."

Last month the pressure group Alcohol Concern called for a complete ban on free alcohol being served on board. US airline pilots have suggested passengers be limited to one drink an hour during a flight.

Ailing Havel critical after surgery

Owen Bowcott

VACLAV HAVEL, the ailing Czech president who led the bloodless 1989 overthrow of the communist regime, yesterday lapsed into a critical condition in a Prague military hospital and had to be revived with electric shocks.

Until recently a chain-smoker, the playwright, aged 61, has long suffered from bronchitis and pneumonia. He has been in hospital five times since December 1996, when a tumour and a third of his lung were removed.

Fears about his health have cast a shadow over the political future of the Czech Republic. His popularity survived his marriage to a young ac-

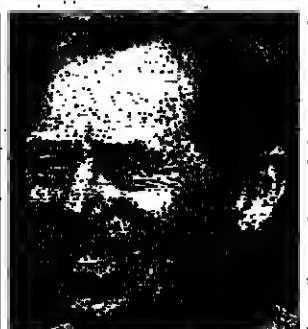
trix, Dagmar, barely a year after his first wife's death.

On Monday doctors performed an emergency tracheotomy — opening a breathing hole in the throat — to facilitate use of a ventilator.

But yesterday Mr Havel's heart rate raced to 200 beats a minute because of blood poisoning brought on by pneumonia, and his blood pressure fell to a critical level, his doctor, Jiri Kotik, revealed.

"This was not a case of clinical death, because his blood circulation did not stop," Dr Kotik said. "His condition was temporarily critical. We reacted to this situation, which was urgent in the short term, with electric current followed by intensive medical therapy."

Last month Mr Havel had abdominal surgery to close a



President Vaclav Havel: Revived with electric shocks

colostomy, but his recovery was complicated by breathing problems and infections.

Last night his condition was said to have stabilised,

his heart rate was "almost normal" and signs of blood poisoning were receding.

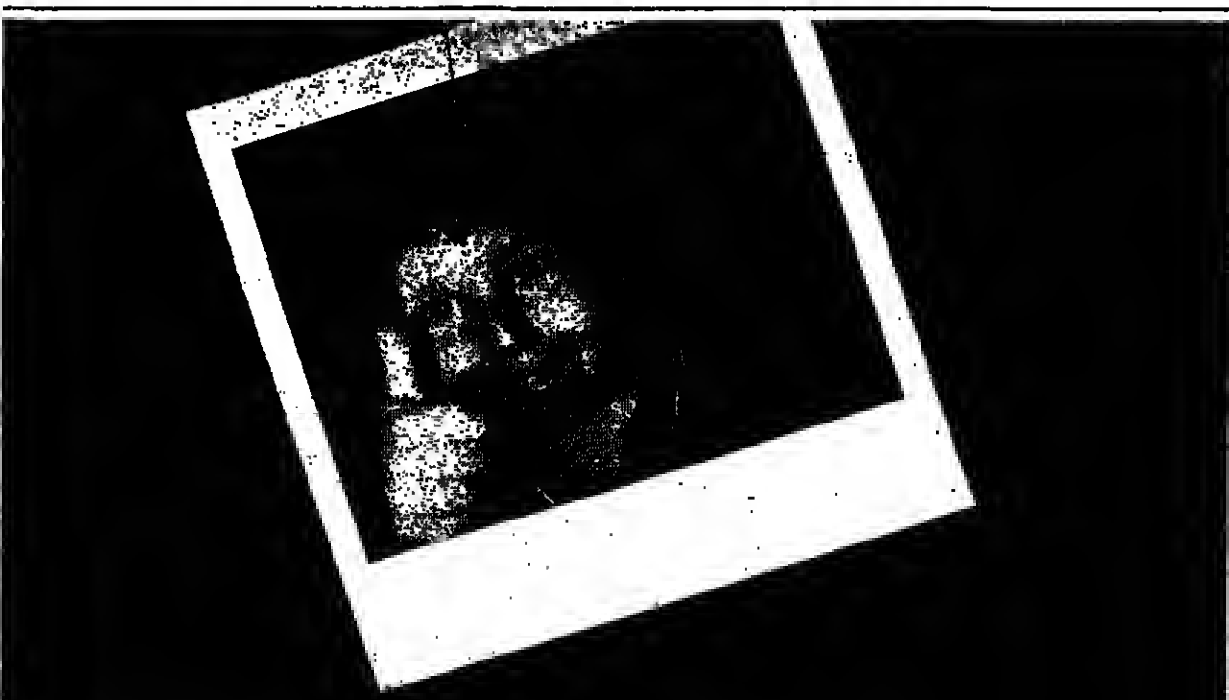
"The president is awake now, and we communicate through written notes as usual," another doctor, Bohumil Limberk, said.

Even if he suffers no further setbacks, Mr Havel is expected to take at least two months to recover before returning to office.

He has no clear successor. After the June 19-20 election, Mr Havel was forced to accept a minority government led by the Social Democrats, the first left-wing administration since the revolution. The government, led Milos Zeman, is expected to win a vote of confidence on August 18 thanks to an uneasy agreement with the largest centre-right party.

'As a 20-year-old student, I had only managed to keep awake through one play, since I was seven, and that was when I was 15 and the girl in Equus took all her clothes off.'
Harry Enfield

Arts, G2 page 10



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Romanian refugees facing an uncertain future at the Rathangan parish hall, in County Wexford, yesterday, as the Irish Republic drafts legislation aimed at curbing immigration, amid charges of xenophobia

PHOTOGRAPH BY DYLAN VAUGHAN

Dublin curbs Romanian immigration

The tourist slogan 'Ireland of the Welcomes' has become a thing of the past as refugees pour in, reports **Rory Carroll**

THE Irish Republic has mobilised police, legislators, diplomats and freight companies to stop a flow of Romanian immigrants before hysteria slides into xenophobia and kills a national myth: the tourist-board slogan Ireland of the Welcomes.

Politicians and newspaper editors have been accused of fueling panic over the 100 Romanian asylum seekers — mostly

Gypsies — who in the past fortnight have been smuggled into Rosslare harbour in Wexford. A hunt for six men who evaded Dan Laoghaire harbour police in Dublin is under way as the Department of Justice drafts legislation to allow boats and aircraft used by stowaways to be impounded. Employing an illegal immigrant will incur a fine of up to £10,000. Transporting one will carry a five year jail term.

Yesterday John O'Donoghue, the justice minister, warned truck and ferry companies over the smuggled Romanians, who now number about 1,500. The Irish embassy in Paris has asked the French government to crack down on Cherbourg port authorities, who are accused of turning a blind eye to families hiding inside Ireland-bound containers. Newspaper headlines warn that hundreds more arrivals are imminent.

One boy aged five almost died from fumes during the 16 hour journey while his family squatted in darkness eating dog food.

The government warned freight companies that discovering a container load

of poisoned corpses was a real possibility. The initial welcome and compassion has in some quarters degenerated into hostility. A front page editorial in the *Westford People* newspaper claimed refugees in designer clothes were eating in restaurants and living in posh apartments, courtesy of the Irish taxpayer.

It also claimed asylum seekers were running up streets waving social welfare cheques, digging up fields to steal vegetables, frightening old women living alone and attempting to seduce and impregnate impressionable young Irish girls because a baby would bring a passport.

It warned that racial tensions were near boiling point and that anger could spill into the streets.

The paper's editor, Ger Walsh, rejected accusations of incitement to hatred, and said the editorial reflected how people felt.

Brendan Howlin, a former government minister, said people would act "resentfully" if pressure continued to build.

Newspapers more accustomed to reporting immigration statistics have described last year's net immigration of 15,000 — two thirds of it from the European Union — as a wave crashing into Ireland.

Despite pleas from business and labour leaders and the Association for the Unemployed, the Government

refuses to allow asylum seekers to work in the booming economy. They draw the dole while awaiting a hearing, which can take more than a year, prompting accusations of sponging.

Officials at the Department of Justice, Equality and Law Reform were moved by media allegations to deny publicly they were right-wing xenophobes.

Mr O'Donoghue believes 90 per cent of asylum seekers are bogus. The US State Department's human rights report for 1997 states that Romania's 2 million Gypsies are subject to discrimination, harassment and violence.

Treatment of refugees has triggered a national debate about Ireland's self-perceived welcoming ethos, a virtue deemed necessary due to Irish emigrants' reliance on other countries' tolerance. Ireland's first anti-refugee pressure group, the Immigration Control Platform, was set up in February.

The UN and the charity Trocaire chastised the government about the rise in racism and xenophobia, which goes unchallenged.

Liberal campaigners have been taken aback that some of the most overt hostility comes from asylum seekers. Twelve Romanian men who arrived at Rosslare at the weekend refused to sleep in the same accommodation as 33 Gypsies who were smuggled in a

separate container on the same ship. One man who did not wish to be named said Gypsies would spoil the reputation of other Romanians. "Gypsies are a big problem in my country. They are not like us, they're different. They don't work, they just take and take and take." An ethnic Hungarian who fled from persecution in Transylvania said the same thing about all Romanians. "They want things for free. That's why they're here."

She pointed at a newspaper article urging more tolerance. "That's wrong. Don't let them stay, send them back. You don't want them, believe me."

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Private cosmetic surgery clinics ignoring advert censure rulings

Sarah Boscley
Health Correspondent

ANUMBER of private cosmetic surgery clinics are flouting the Advertising Standards Authority's rules by re-running advertisements in glossy magazines that have been censured by the watchdog.

After two years of campaigning against the clinics' misleading advertising with 39 complaints against them upheld by the ASA, Asen Mohammed, an accountant who has been battling against the clinics' actions, said he may give up the fight.

"The ASA unfortunately is quite impotent regarding extravagant claims from cosmetic clinics. In my many dealings with it, I have found it unable to do anything other than correct the wording of advertisements," he said.

Mr Mohammed, who turned crusader after a friend's "nose job" went wrong, added: "The ASA makes excellent decisions but the problem is it's toothless. So, what's the point of complaining?"

He began his battle after his friend responded to an advert in *Cosmopolitan*. "She went to one of these clinics which advertised saying it had fully qualified surgeons," he said.

"She wanted a hump removed from her nose. After many weeks, the hump was still swollen due to some infection. It was something like five times the original size. She went to see ear, nose and throat surgeons on the NHS, but there was nothing they could do. In the end, she decided to go to the United States. They managed to put it right."

His friend wanted to sue the clinic in the small claims

court but the limit on such actions is £3,000, and the operation had cost her £3,500.

Since then Mr Mohammed has been scouring magazines such as *Cosmopolitan*, *She*, *Q&Q* and *Esquire* for offending adverts and complaining to the ASA. Sometimes he has had a favourable ruling — but then seen the same advert, or similar ones, printed again.

His campaign has been backed by David Sharpe, president of the British Association of Aesthetic Plastic Surgeons. But Mr Mohammed wants a statutory body set up with powers to take legal action against clinics that break the rules. The Consumers Association has made a similar call and has criticised the ASA for ineffectiveness.

Concern over the clinics' practices and the lack of regulation surfaced recently in the report of a government-appointed review group into silicone gel breast implants. The group was particularly concerned about the lack of accurate information in the adverts. It recommended that adverts should give an address for balanced information.

But the ASA says it has heard nothing from the Department of Health, which accepted the group's recommendations. Last November, its Committee of Advertising Practice sent out a document, entitled *Help Note on Cosmetic Surgery*, to advertisers, agencies and media. It gave guidance on surgeons who could be described as qualified. Professor Sharpe says he knows of only one accredited surgeon in a private cosmetic clinic.

The document also warned that the claim "leading clinic" should not be used unless the establishment is demonstrated to have superior attributes to all others. Ad-

Standards authority defied

TRANSFORM MEDICAL GROUP

Complaint: Objection to a brochure for cosmetic surgery that claimed "fully qualified surgeons". Complainant argued the advertisers' surgeons were not accredited by the Royal College of Surgeons in plastic surgery and had not been NHS consultants.

Adjudication April 1997: The ASA considered the claim "fully qualified" misleading because the surgeons had not met the GMC criteria for the specialist register. The ASA confirmed the amended version of the brochure was acceptable because it no longer made the claim on behalf of all the clinic's surgeons. **Result:** In January 1998, the clinic sent a letter to a prospective client in response to an inquiry. It read: "I have pleasure in enclosing our brochure, which will give you a brief outline of the procedures carried out by our fully qualified surgeons." (The ASA also regulates promotional claims made in letters).

NOBEL CLINIC

Complaint: Objection to an advert for a hair replacement clinic showing before and after pictures of a man's head. Complainant challenged the claims

"established for 10 years in England and Switzerland" and "all our clients with thinning, receding hair or even very extensive hair loss, experience natural permanent new hair growth within a few weeks". He also challenged the authenticity of the photographs.

Adjudication September 1996: The advertisers maintained the claims were true and the photographs were genuine but provided no evidence. The ASA asked the advertisers to repeat the claims or use the photographs until they had shown they were acceptable. **Results:** Nothing happened. Further adverts appeared and the complainant repeated his complaint.

Further Adjudication May 1997: The advertisers did not respond. The ASA was concerned that the advertisers failed to co-operate and were continuing to place an advertisement that contained claims similar to those ones. The ASA asked the Committee of Advertising Practice to instruct its media members to check with the Copy Advice team before accepting advertisements. **Results:** Advert showing same before and after pictures appeared in *Esquire* in July 1998 and similar claims in January to April editions of *Q&Q* magazine.

figurement and complications in patients obtained through misrepresentation of their accreditation." But he added that "it would not be seemly for our organisation to get into a squabble which attempts to disparage colleagues in these dubious cosmetic surgery practices". It would be against General Medical Council ethical guidelines, he said.

Former head of Thames TV Richard Dunn dies at 53

THE former chief executive of Thames Television, Richard Dunn, died suddenly at home yesterday, aged 53, writes *Janine Gibson*.

Mr Dunn, who presided over the ITV company during its finest and worst hours, leaves a wife, Virginia, and three children.

He began his career as a writer and film producer before joining Thames in 1978. He rose to chief executive in 1985, and as such his most controversial hour was defending the company's IRA documentary *Death on the Rock*, which enraged the Thatcher government.

Having turned Thames into a public company in 1988, he went on to invest in the Astra satellite system and fought for the development of satellite television in the UK. At Thames's lowest point, when it lost its licence in the 1991 franchise rounds, he engineered the sell-out to Pearson

Television, which still owns the production company.

After a two-year spell at Pearson and other chairmanships within the industry Mr Dunn became executive director of News International Television in 1995, overseeing the satellite service he had battled to develop.

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Dead girl 'had ecstasy at party'

Gerard Soeman

A TEENAGE girl who died yesterday is believed to have taken two ecstasy pills at a friend's weekend birthday party. Police said last night that four arrests had been made.

Julia Dawes, a fitness instructor aged 18 from Perth, was out with friends celebrating a 24th birthday at a club in Perth on Saturday night when reportedly she took the drug.

According to her friends, she had at first appeared fine and they all danced together for several hours. She still looked fine when she left the group at the end of the night.

However, she became ill shortly after returning to her home, and her parents later found her lying unconscious in her bedroom. She was taken to Perth royal infirmary and spent two days in what doctors described as a critical condition.

She never regained consciousness, and her life support machine was switched off yesterday.

Her parents, Alan and Jacqueline Dawes, had remained by her bedside and last night they were said to be too upset to talk of their daughter's death.

Perth and Kinross Health-care NHS Trust released a statement saying the death had left the parents and the girl's brother, Jonathan, "deeply grieved". It added that they paid tribute to the help given by hospital staff and the ambulance service.

"Mr Dawes would like to say that, from the bottom of their hearts, they have experienced a breadth and depth of human compassion from doctors, nurses and ambulance services, more than they could wish for, and an experience of loving care that will endure in their memories for ever," the statement said.

Four police are investigating, and said four people had been arrested and charged in connection with the incident. A police spokesman said that a post mortem examination this afternoon would decide for certain if the dead girl had taken ecstasy.

Miss Dawes worked as a fitness instructor in a Perthshire health and fitness club owned by her parents. They last night appealed to be allowed to come to terms with their grief in private.

If the post mortem finds Miss Dawes died as a result of ecstasy, she would not be the youngest in Scotland to have died from the drug. Two years ago Andrew Woodcock, aged 13, from Lanarkshire, died after taking ecstasy pills.

Last year seven people in Scotland died as a result of taking ecstasy.



Julia Dawes, aged 18, died after birthday party

Mother 'sacked for declining job with travel'

Sarah Hall

A N executive who refused to travel all over Europe because of the effect it would have on her new baby was sacked for her decision, an industrial tribunal heard yesterday.

Louise Neal, a 250,000 a year headhunter with Tangent International, an recruitment agency for the computer industry, had responsibility for the agency's portfolio for IBM-NB, the Dutch arm of IBM. She was told on her first day back after maternity leave last December that her job had been given to her deputy and she must take up a new position as IBM European account manager.

She declined because she would be separated from her 10-week-old daughter, Lucy, for long periods. She is now claiming unfair dismissal and sexual discrimination after being presented with a *fait accompli* last December.

Yesterday Mrs Neal, aged 30, of Chelmsford, Essex, told a tribunal at Stratford, east London, that she felt humiliated at being offered the new job, which would offer less financial security, ensure no

further contact with customers and involve much more travelling.

In her previous role, which she had held for two years, she had made about 18 day trips a year to Holland, which was not disruptive. In the new position she would have had to travel to IBM sites in Brussels, Düsseldorf, Hamburg, Paris and Stockholm, involving overnight stays, "which would have had an unfortunate impact on my relationship with my daughter", she told Chris Duggan, defending for Tangent.

Mrs Neal, who now works for a recruitment consultancy in Chelmsford, said she and her husband had believed "it was the right time to have a child" since her hours and income had seemed stable.

"I could organise a nanny to look after my child. If I took on the new business role, I would have to look for some other form of child care," she told the tribunal.

Her barrister, Robin Howard, told the tribunal that Tangent had given no indication that her job would change. She had been promised there would be no change except by arrangement. The hearing continues.

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The Guardian The Observer



The Queen Mother with Princess Eugenie, eight, waves to the crowd at Clarence House yesterday. PHOTOGRAPH: JOHNNY EGGITT

Nurses' paperwork cuts time for patient care

David Brindle, Social Services Correspondent

STAFF nurses spend 15 per cent less time with patients than they did in the mid-1990s because of paperwork, researchers have found.

For ward sisters and charge nurses, the loss in time devoted to direct patient care has risen to more than 20 per cent, according to a study of 11 hospitals in three parts of the country.

The study was conducted among mental nurses, but the researchers — who have undertaken similar work in other areas of health care — say the same trend is evident across the board.

"When we started doing this work, it was not unusual to find nurses spending 70 per cent of their time on direct care," Keith Hurst, senior lecturer at the Leeds-based Nuffield Institute for Health said yesterday. "Now it's about 55-60 per cent."

"It would not be unkind to say that the amount of time nurses spend with their pa-

tients is dropping around about 1 per cent a year."

Nuffield researchers followed nurses going about their routines in acute psychiatric wards in hospitals in Yorkshire, inner London and the Northern health region. Each task was monitored and categorised.

Compared to the findings of an equivalent exercise in 1995, E-grade staff nurses spent 13 per cent less time with their patients but 17 per cent more time on "associated duties" — mainly office work.

Staff on D grade spent 17 per cent less time with patients and 26 per cent more time on associated duties.

Supervisory staff on F and G grades spent more than 20 per cent less time with patients. Those on G spent as much as 39 per cent more time on associated duties.

The study also monitored the impact of these changes on patients, who were found to spend only 4 per cent of their time with ward staff and much of the rest of the day "doing nothing", watching television or chatting.

One patient said: "It can be

difficult at times to see the nurses. They're often in the office writing, or on the phone."

The researchers, who were funded by the Department of Health, are urging hospitals to recruit staff for paperwork, and free nurses for patient care.

Mr Hurst said: "It makes no kind of sense to be paying skilled nurses £25,000 a year to fill out forms. It's just not cost-effective."

A spokeswoman for the Royal College of Nursing said: "Nurses don't mind filling in forms if they can see the benefits, but administration and paperwork for all clinical nurses has increased and this does undoubtedly take them away from patient care."

Figures released yesterday show there were fewer than 48,000 student nurses in training in March, more than 8,000 below 1994. Numbers of training places were cut in the early 1990s, but are now being increased again.

Ministers have promised an additional 6,000 training places over the next three years.

Final warning for Radio 1 DJ who missed live show

Jamie Wilson

DJ Lisa T'Anson was given a final warning by Radio 1 bosses yesterday for failing to turn up for a live broadcast from Ibiza on Sunday after partying all night.

The incident happened during the weekend-long Ibiza 98. Ms T'Anson was reportedly seen at a nightclub at 8am on Sunday morning — only

hours before she was due to start her lunchtime show. DJ Emma B went in as a last-minute replacement. Ms T'Anson was located at the island's Manumission motel on Sunday evening.

Yesterday, the 33-year-old former MTV presenter was hauled before Radio 1 controller Andy Parfitt to explain.

In a statement, Radio 1 said Mr Parfitt "issued a severe reprimand to Lisa T'Anson for

being in breach of her contract, giving a first and final warning that if a repeat situation were to occur she would be summarily dismissed".

Mr Parfitt deducted her fee for both of her scheduled weekend programmes. He also demanded a full apology "to Radio 1 colleagues and crew for the distress caused by her disappearance, missing the show and letting the whole Radio 1 team down".



Prince William and Zara Phillips. PHOTOGRAPH: REBECCA NADEN

Crowds help Queen Mother celebrate 98th birthday

Luke Harding

NATHANIEL Hess, aged two, was determined to give his biscuit to the nice old lady in yellow. As she made her way along the crowds in front of Clarence House, who had turned out to wish her a happy 98th birthday, Nathaniel seized his moment.

Stepping forward he presented the Queen Mother with his half-eaten digestive. She took it with a smile, pretended to munch it, and handed it back with the words: "You eat it."

It was left to Nathaniel's older brother William, eight, to explain the joke. "She was very nice to us," he said.

The Queen Mother celebrated in much the same way as last year. The sun shone, the crowds turned out in large numbers, and the entire Windsor family popped in for lunch.

"I last saw her in Scotland in 1989 when she launched a lifeboat. She was wearing a yellow son-

vester," said Australian tourist Heather Boatman, who had turned up to get a glimpse of her. "I think she appeals to the maternal instinct in everyone."

"She got us through the second world war and she is very good to the young royals," Joan Gay, from Bracknell, Berkshire, chimed in from behind a crash barrier.

The Queen Mother appeared outside her London home at 11.20am, wearing a canary yellow suit and hat. She spent 20 minutes chatting to well-wishers and staff who had been let inside a police barrier, occasionally leaning on her stick, before clambering into her candy-striped golf buggy.

The Queen Mum-mob, bearing the discreet monogram EHR, then edged its way towards the Mall. Three balloons with the words Happy Birthday

bobbed playfully above its roof.

In an increasingly surreal pageant, a procession of liveried footmen carried away flowers and gifts from well-wishers. They included a bottle of Dubonnet, a giant teddy bear card, a nebuchadnezzar of champagne (the size of 20 ordinary bottles), and a box of After Eight mints.

Eventually her chauffeur executed a U-turn and Britain's best loved 98-year-old trundled back towards Clarence House and lunch.

Later princes William, 16, and Harry, 13, emerged into the sunshine to pose for pictures with her. William chatted with his 16-year-old cousin Zara Phillips, daughter of the Princess Royal. The Queen, Princess Margaret, the Prince of Wales, the Duke of York and his daughters, and Prince Edward also turned out. Over at Hyde Park a 41-gun salute was fired, before the royals retired again. The Queen Mother is to travel to Balmoral today.

A car given to Diana, Princess of Wales, as an engagement present by the Prince of Wales is heading for an American museum because no one in Britain wanted to put it on public display, its owner, Keith Lawson, said yesterday.

The silver W-registered Ford Escort Ghia, with 80,000 miles on the clock, attracted offers only from private UK bidders who wanted to keep it to themselves, he said. Now a price had been agreed with the museum through a California Internet car dealership, although the sale was not yet completed. He said he did not know which museum it was and would not give the price.

Mr Lawson, an antique clock dealer, claims he rejected offers of up to £2 million to make sure the car would not be locked away. He paid £6,000 for it when Diana put it up for sale at Sotheby's in 1995.

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Saddam's strategy ends hope of compromise in the Gulf



After two dry runs, Iraq is on collision course with the West. **David Hirst** reports from Beirut on why the only unpredictable factor was the timing



A member of the UN weapons inspection team leaves Baghdad yesterday after talks with Iraq collapsed. After the previous two crises, Saddam Hussein (above left) is confident he can get the better of the US. MAIN PHOTOGRAPH: KAFIR SAHIN

WHEN Richard Butler last visited Baghdad, in mid-June, the Iraqi ambassador to the United Nations, Nizar Hamdoun, issued a warning. By October or November, he told the head of the UN's weapons inspections team, "one of two things could happen". The UN sanctions on Iraq could be lifted. But "if they are not, there will be a crisis. And it will be the final crisis".

The one sure thing about these periodic showdowns between Iraq and the UN Special Commission (Unscm) is that they will recur until that final crisis is upon us.

This is because President Saddam has a long-term strategy devised to end UN sanctions and, however ame-

nable to tactical retreat when necessary, he is following it unwaveringly. It has produced two major crises. One was in October, when he expelled the UN inspectors; that was defused by Russian mediation. The other was early this year, when he refused to let the inspectors enter his presidential premises; that was defused when the UN secretary-general, Kofi Annan, negotiated a deal that averted United States military action.

There were hopes that both crises were coming, because Baghdad itself, with rhetoric and solemn warnings, made it obvious. The only uncertainty was the timing.

It has been similarly obvious for some time that a third crisis was in the making. The US administration has tended

to assume, like Mr Hamdoun, that it will come in October, when Mr Butler presents a key progress report to the Security Council.

Others have forecast that it will come sooner. And with yesterday's collapse of the Baghdad talks, it looks as though it has.

It may not be a "final crisis", but it should be graver than its predecessors, if only because the main actors, the US and Iraq, have exhausted all room for compromise.

There were hopes that it could be avoided. Rather surprisingly, Mr Butler himself generated them. On his last visit to Baghdad, the man Iraq calls a "mad dog" and "evil US puppet" said that he believed Iraq would co-operate on "a work programme that will bring us very fast

and very far to the end of this process". It was hard to see what induced him to say it.

It was all the more remarkable because, only a few days before, he had delivered a report to the Security Council which laid bare the fundamental problem.

This is that Iraq has long insisted that it has disposed of all its weapons of mass destruction, while Unscm insists that it has not.

"It is important," Mr Butler said, "to note the order of magnitude of the weapons retained by Iraq: two-thirds of the operational missile force; more than half of the chemical weapons and half of the biological weapons."

The final option left to Iraq, Mr Butler insisted, yet again, that all its weapons had been destroyed and that

Mr Butler knew it all too well. Under the Annan deal, it said, Iraq had suffered the humiliation of opening up presidential palaces for inspection and nothing had been found.

Yet in spite of that, "our expectations that the weapons file would be closed by October ... vanished; all Iraq could look forward to was a 'continuation of the status quo' why should Iraq put up with all this — if the siege is to continue with no foreseeable end?"

It would not put up with it much longer. For the past few months, it has been hammering that point almost daily. It was ready to wait, but not beyond the end of this, the eighth year of sanctions. If there was no progress, the Security Council was told in a letter on May 1, Iraq would

resort to "an alternative strategy". The strategy was a "private matter", but it would certainly reflect Iraq's "will power", and lead to "dire consequences".

Whatever the strategy is, it will reflect President Saddam's confidence that he will get the better of the US again. He is surely persuaded that the deal the Russians bro-

kered in November represented a clear US retreat. That at least was the overwhelming view of US commentators.

After the Annan deal, President Clinton said he would react forcefully to any further obstructions of the inspectors. But before long, the US press was reporting that, on the contrary, he was now less ready than ever to back the inspectors with force.

Odds are against beating tax man

Gary Young in Washington

TAX EVADERS and creative accountants who get caught may assume they are victims of God's law — one careless fish too many that was spotted by an eagle-eyed investigator.

But according to scientists in the United States they are far more likely to have fallen foul of Benford's law, a mathematical formula that shows when people are cooking the books.

Benford's law, which uses logarithms to establish a pattern of probability, is used by income tax agencies in US states including California, and has proved a useful device for exposing fraud, tax evasion, embezzlement and even computer bugs.

The theorem, named after Dr Frank Benford, a physicist at the General Electric Company, shows that truth is not only stranger than fiction, it is also less consistent. That makes it far easier for mathematicians to detect when someone is inventing a series of numbers.

One professor illustrates the use of the theorem by asking his students to either flip a coin 200 times and record the results or simply make them up. When the students hand in the results he can tell who has invented them.

Research by Theodore Hill of the Georgia Institute of Technology showed that, at some point during the 200 tosses, heads or tails will probably come up six

times in a row. Those who make up their results are unlikely to factor this into their results.

"The truth is, most people don't know the real odds of such an exercise, so they can't fake data convincingly," he told the New York Times.

It is this fact that has alerted money-raising and legal authorities around the country to suspicious behaviour by those who try to crunch numbers to their advantage.

Benford proved his formula by using such varied numerical data as a day's stock market quotations, the populations of towns and electricity bills in the Solomon Islands.

A layman would guess that the chance of any of these strings of numbers starting with the digit 1 would be one in nine. Benford showed it was nearly one in three. The chance it would start with 2 was less than one in five. The possibility it would start with 9 was less than one in 20.

The law was applied to fraud cases in Brooklyn after the district attorney's chief financial investigator, Robert Burton, hired an accounting consultant, Mark Nigrini, who devised a computer program based on the theorem.

"Our office had handled seven cases of admitted fraud and we used them as a test of Dr Nigrini's computer program," Mr Burton told the New York Times.

"It correctly spotted all seven cases as involving probable fraud."

Court blow to Clinton

Gary Young in Washington

THE United States Supreme Court dealt a blow to White House efforts to protect the president's lawyers from having to testify in the Monica Lewinsky scandal yesterday when the chief justice ruled that Mr Clinton's closest aides must testify.

The White House lawyer, Lanny Breuer, appeared before the grand jury yesterday after the chief justice, William Rehnquist, refused to block testimony until the Supreme Court could consider a full appeal in the autumn.

The Clinton team had argued that the lawyers were protected by attorney-client

privilege while the president's detractors accused him of playing for time.

The decision, which will also force Bruce Lindsey, Mr Clinton's friend for more than 30 years, to appear before the independent prosecutor, Kenneth Starr, deepens Mr Clinton's isolation at a time when he most needs candid advice.

The president can rely now on only his wife Hillary and the legal team of his personal lawyer, David Kendall. Last month Mr Rehnquist rejected a White House attempt to protect secret service officials from having to testify.

The final option left to White House lawyers is to seek help from any one of the eight other Supreme Court members, though it was not

clear if they planned to do so.

Mr Lindsey, who is recovering from back surgery, is closest to the president, but the cause of most immediate concern is Mr Breuer, who has helped the administration respond to various investigations in the past.

Mr Breuer is not thought to have much first hand information about Mr Clinton's relationship with Ms Lewinsky, but could provide crucial information about how the White House sought to contain the political damage at the beginning of the scandal. This could prove vital to Mr Starr's investigation of allegations that Mr Clinton attempted to obstruct justice by persuading Ms Lewinsky, and possibly

others, to lie under oath.

Arriving at the courthouse yesterday, Mr Breuer said he planned to go to the jury room. Mr Rehnquist's ruling leaves open the possibility that he could refuse to answer questions in the courtroom on the basis of client-confidentiality. Then Mr Starr would have to go to the US District judge and seek to force him to answer, which could prompt further rulings and appeals.

Both Mr Breuer and Mr Lindsey have provided limited testimony to the grand jury, but they claimed the attorney-client privilege against divulging confidential conversations with clients in refusing to testify about some matters involving Mr Clinton.

Families of switched girls reach deal

Mark Tran in New York

THE families of the two Virginia girls switched at birth three years ago have agreed to co-operate and do what is best for the children rather than start a custody battle.

Rebecca Chittum is being taken care of by her paternal grandparents, as her parents, Kevin Chittum and Whitney Rogers, were killed in a car crash on July 4.

Callie Marie Johnson will stay with Paula Johnson, who has looked after her since the babies were switched at the University of Virginia Medical Centre in June 1995.

"We anticipate a situation where the families, working

together, will be able to resolve the situation," said Michael Irvin, the lawyer for the Chittum relatives. "The families are saying they want what's best for these two children."

Kevin and Whitney, who were engaged, died without knowing that the child they had raised was not theirs. Rebecca was Ms Johnson's child, but Ms Johnson ended up with Kevin and Whitney's child in a legal and emotional tangle that began coming to light last week.

The story took a tragic twist with the news that Rebecca's parents are now dead. She is to be cared for by three sets of grandparents — her paternal grandparents, Larry and Rosa, her maternal

grandmother, Linda Rogers, and her maternal grandfather and his wife, Thomas and Brenda Rogers.

The promises of co-operation came as both families discovered each other's identity after Ms Johnson went public with the mix-up last week. DNA tests taken in a child support case showed that she had been sent home from hospital with the wrong baby.

The hospital tracked down Rebecca in the small mountain town of Buena Vista, 90 miles from Ms Johnson's home in Ruckersville.

Ms Johnson says she remembers Whitney Rogers from their brief time together in the maternity ward three years ago and looks forward to a private meeting with

Rebecca and her relatives. "My heart goes out to the families for their losses. Their pain is more than anyone should have to bear," she said.

The University of Virginia Medical centre, facing claims for financial compensation, is investigating the mix-up. Officials insist that it could not have happened accidentally, and Virginia state police have been called in to investigate.

But lawyers for the two families said their clients do not remember anything about the mix-up, and that babies and mothers are supposed to be given shortly after birth. They said they had a videotape of the day Rebecca was born, showing her receiving a bracelet.

News in brief

Sri Lanka declares state of emergency

THE Sri Lankan president, Chandrika Kumaratunga, has imposed a state of emergency on the island in an attempt, she said, to maintain security and public order. The police and security forces can now be given wide-ranging powers of arrest and detention without trial.

Observers say the government is hoping to use the state of emergency to postpone the provincial elections, due at the end of the month, in which the president's ruling alliance is expected to do badly.

In an interview at the weekend, Ms Kumaratunga said that, although the government would do well in any elections, it was a risk to hold them when troops were involved in a major offensive against the Tamil Tigers. — *Suzi Price, Colombo.*

Taliban close in on stronghold

THE last foreign aid workers were evacuated from the northern Afghanistan city of Mazar-i-Sharif yesterday by the Red Cross, which fears a repeat of the street fighting and looting that erupted when the Taliban religious militia briefly held the city last year.

The Taliban advanced to 12 miles west of the city, one of the opposition's few remaining strongholds, reportedly prompting hundreds of residents to flee.

An opposition source in Mazar-i-Sharif said locals were revolting against General Rashid Dostan, one of the leaders in the anti-Taliban coalition, allowing the Taliban to advance. — *AP, Kabul.*

US Republicans break ranks

DEFYING their congressional leadership, Republicans have passed a far-reaching bill on campaign finance reform, one of the central promises of President Clinton's second term.

The bill, which bans unlimited, unregulated donations to political parties by businesses, trade unions and individuals, was passed by a big majority in the House of Representatives after more than 50 Republicans broke ranks.

It now goes to the Republican-dominated Senate, where it is expected to meet stiffer opposition.

Republicans also called on the attorney-general, Janet Reno, to appoint an independent counsel to investigate fundraising abuses in the 1996 presidential election. — *Gary Young, Washington.*

Turkish critics jailed

TURKEY'S professed commitment to improving human rights came under fresh scrutiny yesterday as a newspaper cartoonist and a playwright were each given jail sentences.

The cartoonist, Dogan Gucel, is serving more than three years for insulting the Turkish republic in a cartoon strip he drew in two Kurdish newspapers which have now closed down.

The playwright, Mehmet Vahi Yazar, who was found guilty of provoking hatred in one of his plays, was sentenced to 24 years.

Four actors who appeared in the play each received 16 years. Prosecutors said the play encouraged social unrest by portraying the military as an obstacle to the campaign to set up an Islamic state. — *Chris Morris, Ankara.*

Iranian editor found guilty

THE power struggle between Iranian hardliners and moderates continued as the editor of the weekly newspaper Khaneh was found guilty of "insulting the Imam and Islamic sanctities" for publishing a letter from a woman who criticised the late Ayatollah Khomeini. Mohammad-Reza Za'ari was freed on bail of \$4,000 pending sentencing.

Meanwhile the offices of the daily Jameh paper were evacuated after a bomb threat. No bomb was found. — *AP, Tehran.*

Time off urged for Thai troops

THAILAND'S army is encouraging its troops to take a month's unpaid leave because the country's economic crisis has left it short of money, the Bangkok Post reported yesterday.

There is only enough money in the budget to cover 11 months of soldiers' daily allowances through out the year.

Training budgets have been cut by 50 per cent, and commanders have been ordered to suspend building and procurement projects to divert the money to training programmes.

The army has also launched schemes to encourage soldiers to grow their own food at their bases. — *AP, Bangkok.*

Scientists find new dove

NUMEROUS new species have been found by scientists on the tiny, little-known Caribbean island of Navassa, including the ground dove, thought to be extinct, and several undocumented plant species.

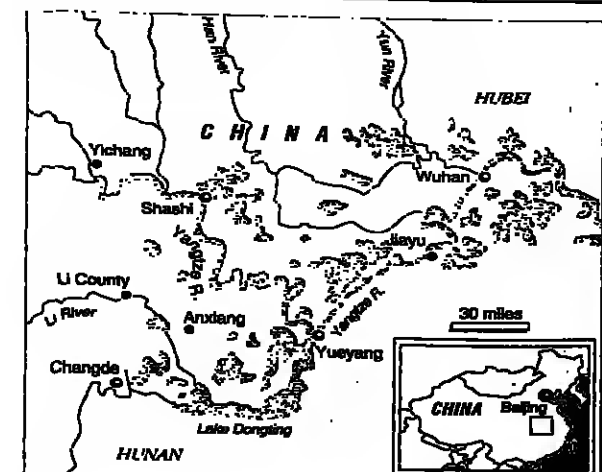
The island, a US territory 40 miles west of Haiti in the Greater Antilles, has an area of just two square miles and was last surveyed by scientists in the 1930s. — *Reuters, Washington.*

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Floods bring death and destruction to Chinese villages

John Gittings

ENTIRE villages are being swept away by floods in China as the swollen Yangtze river reaches a critical stage, Beijing has revealed. Hundreds of thousands of peasants are being rescued from the top of crumbling river banks.

In one incident, a company of soldiers struggling to repair a waterlogged dike in central Hubei province was washed away when the wall collapsed and the river surged in.

Chinese officials now admit that hundreds are missing at Jiyi, upstream from the provincial capital of Wuhan, after a 200-yard stretch of the dam broke on Saturday.

"A fleet of 38 boats rushed to the rescue with 1,000 soldiers to help, but because of the rushing waters they could not land," one eyewitness reported.

Up to 50,000 local peasants are taking refuge in makeshift tents along a 60-mile stretch of the earthen dike, although yesterday it was unclear how they were faring.

The disaster area is at a critical choke-point in the central Yangtze valley where the river makes a huge bend through low-lying country near the town of Yueyang to turn east towards Wuhan.



Villagers in Yongxin county take refuge on top of dikes to escape the flooding Yangtze river. Hundreds of thousands have been made homeless

Details of a disaster not far away in Li county, a week ago are only now coming to light. More than 30 people died, 60 are missing, 48,000 houses were destroyed and 80,000 people are living in shanties on the top of the dike.

Flood relief in Li county appears to depend largely on local initiative. Civil servants are being urged to contribute two months' wages to buy food for the refugees, who are being issued with 1lb of rice daily, plus instant noodles and biscuits. Officials admit that the dike-top dwellers have "no way of going home".

The Li river, which bursts its banks, flows into the Dongting lake near Yueyang, which in normal times absorbs excess water from the Yangtze. But the lake has silted up in recent years as the population upstream has increased and marshland has been drained for agriculture.

Latest figures show a total of 1.9 million civilians struggling to contain the floods in five Chinese provinces along the middle and lower reaches of the Yangtze.

The Communist Party's newspaper, the People's Daily, publishes regular bulletins showing the water height from Yichang, below the Three Gorges, to Shanghai near the coast.

But the worst disasters seem to be played down, or are not adequately reported because of communication difficulties.

The official New China news agency has only recently reported a catastrophic dike collapse on July 24 in Anxiang, downstream from Li county. More than 100,000 people lost their homes, it said yesterday. Victims were living in tents "without adequate food and water".

The agency added that 3,500 spots along the Yangtze dikes were vulnerable. "The flood control situation is extremely serious and will remain so for the foreseeable future."

Three flood peaks have swept down the Yangtze in the past month, reaching heights only just below the disaster year of 1954. Millions of people are manning the weakened defences as a fourth peak is reported to be forming in the river's upper reaches.

By the end of last week, the floods had killed 1,145 people in six provinces of central and southern China.

Congo rebellion gathers strength

Alex Duval Smith
Africa Correspondent

RESIDENT Laurent Kabila's hold on power in central Africa's biggest country appeared to be crumbling last night as the army rebellion against him gathered momentum and fighting was reported in Kisangani, a key city in the interior of Congo.

Further evidence of the unravelling of the delicate military alliance which 15 months ago brought Mr Kabila to power in former Zaire came with reports that rebels who started the uprising in the east of the country on Sunday had flown to Kisangani, possibly to set up a western flank.

After the latest emergency cabinet meeting early yesterday, a government spokesman called on neighbours "not to make the wrong decisions to fight" an oblique reference to Rwanda's Tutsi army, which President Kabila blames for the rebellion. Rwanda denies being involved, though one report yesterday said troops had crossed by ferry into Congo.

It was "tutsis from the eastern region of South Kivu — known as the Banyamulenge — together with the Rwandan Patriotic Army that helped lead Mr Kabila's rebels to victory over the late dictator, Mobutu Sese Seko Kibangu Ngbendu, the foreign minister believes those same soldiers have turned the tables on Mr Kabila because they have not been paid for many months.

Diplomats monitoring the situation in Kinshasa said yesterday that the rebellion appeared to be well planned. By last night, key towns in the east of the country — Bukavu, Kisangani and Uvira — were under rebel control.

"The city has been liberated," the mayor of Bukavu, Khadde Mutware, told Reuters yesterday.

In Kisangani, fighting was reported at the airport, about 12 miles from the city.

Yesterday Mr Kabila's spokesman renewed his calls for an end to the rebellion in North and South Kivu and said they were preparing an armed response.

The justice minister, Mwenze Kongo, said: "They are bandits organised to loot the country."

After exchanges of gunfire at two military bases in Kinshasa on Monday, the capital was quiet yesterday. But a three-night curfew was maintained and loyalist troops mounted road blocks on the outskirts.

It was not clear why rebels had flown to the western garrison town of Kisangani in a cargo aircraft stolen in Gombe from Congo Airlines. But Kinshasa has barracks where up to 30,000 soldiers from Mobutu's private guard — believed to back the rebels — are being retrained.

Last night two high-ranking members of the Congolese government were reported to have fled to South Africa, but the foreign ministry in Pretoria could not confirm their whereabouts. They are believed to be the foreign minister, Bizima Karaba, and the presidential affairs minister, Desgratias Begera.

PROFILE/Laurent Kabila

Beacon of hope, or just a new despot?

SOME things change — Zaire is now called Congo — but despots just change their spots, writes Alex Duval Smith. Laurent Kabila (right), briefly hailed as heading a new breed of African leaders, increasingly resembles the man he replaced, Mobutu Sese Seko, minus the leopard-skin hat.

On May 17 last year, thousands of people poured out to the streets of Kinshasa to welcome Mr Kabila's victorious rebel army. Now, to the 5 million residents of the Congolese capital, Mobutu's 33 years of corruption seem like 33.

The guerrilla fighter seemed at first to be living up to the view that he was a "strong new leader" and "beacon of hope". By ending Mobutu's practice of printing money when he needed it, President Kabila reduced inflation from three digits to around 14 per cent. He repaired the sewage system in Kinshasa and promised to save the mountain gorilla.

But in the run-up to the elections he has banned political parties, jailed human rights campaigners and journalists, and closed down newspapers.

An office set up to investigate corruption by the Mobutu regime has all but stopped work since its head was dismissed on suspicion of misappropriating funds.

Mr Kabila's erratic international policy-making and propensity for putting people from his Katanga (formerly Shaba) region in positions of power have left foreign diplomats suspicious.

But despite signs of authoritarianism no one has yet produced hard evidence that he is eating his country's wealth at the rate Mobutu did.

Nato stalls as refugee tide grows in Kosovo

Martin Walker in Brussels and Peter Beaumont near Lausa

NATO is "a long way from any military option", sources at the alliance's headquarters in Brussels said yesterday. Serbian forces continued to shell villages in central Kosovo, amid warnings of a humanitarian disaster involving 70,000 new refugees in the past week.

Warnings by the United States state department this week that intervention could come very quickly were played down by both Nato and British officials.

"Nato has a full range of contingency planning, but before they can be triggered, there has to be a political mandate," a Nato official explained. "We are still trying to get the International Contact Group or by the UN. We have no such decision."

Nato's stalling came as ethnic Albanian rebels of the Kosovo Liberation Army were driven from one of their most symbolic strongholds by Serbian troops — the village of Lausa. That was the site where, last November, the armed separatists first appeared in uniform in public, at the funeral of a teacher killed by a Serb bullet.

Lausa and its surrounding villages, on a rolling arid plain, are now deserted, their populations sent into flight by the fighting which, the guerrillas say, involved rockets and riot gas sprayed from a Serbian helicopter to disable their fighters.

From a mile outside the village, where reporters were turned back by KLA soldiers guarding the road, all that could be seen of Lausa were columns of white smoke rising from the buildings.

Naim Bardhi, a paramedic, aged 27, who returned from Germany to fight in Kosovo, said: "The Serbs attacked us with too many forces. We tried to resist. We are still trying to resist. They want to clear the area of soldiers and civilians between the cities of Pristina, Pec and Metrovica. They cannot do that until they have killed every soldier in our army."

Not far from Lausa, in a shallow wooded valley near the village of Vrbove, more than 1,000 refugees were camped out in insanitary conditions, with only a dirty stream as a water supply. Some had spent up to three weeks in the open. Yesterday, two carloads of aid arrived from the Red Cross — the first relief agency to reach them.

Nato's plans to intervene in Kosovo are still being fine-tuned, after the secretary-general, Javier Solana, asked for more flexibility. The options range from the full use of air power against Serb forces — with Nato establishing safe zones inside Kosovo — down to preventive deployment in Albania and Macedonia to stop the war spilling over.

But without a political decision to intervene, Nato currently envisages only the long-planned joint manoeuvres in Albania on August 17. These are designed more to familiarise Albanian forces with Nato than to prepare for action in Kosovo.

Yugoslavia's president, Slobodan Milosevic, confident he can continue his war against the rebels with impunity, has called Nato's bluff. He has not been intimidated by the show of force that Nato planes made near Kosovo in April.

The US special envoy, Chris Hill, said yesterday Kosovo was "on the edge of a catastrophe", with 200,000 people fleeing their homes. The UN World Food Programme estimated 70,000 new refugees in the past week.

The Russian deputy foreign minister, Nikolai Afanasyev, announced another visit to Belgrade and Kosovo yesterday. But the main diplomatic activity now under way, after an EU team returned last week with Mr Milosevic's assurance that his offensive was over, is the drafting of a range of options for the kind of autonomy Kosovo ought to have as the basis for a lasting settlement.

This should be ready next week, European Union diplomats said yesterday. But it has been ruled out as unrealistic by the KLA and the Albanian government, which said yesterday the war had "gone beyond autonomy".

Albania's foreign minister said "the minimum" that would be accepted would be an independent Kosovo in a loose Yugoslav federation.

EU loses face for Cambodia poll verdict

Foreign election observers have sparked anger, writes Nicholas Cumming-Bruce in Phnom Penh

WHITE faces are not the most popular in Cambodia these days. A week after elections monitored by 500 international — mainly European — observers, cracks in the facade of polite deference usually accorded foreigners are letting through a mixture of anger, puzzlement and disdain.

Preliminary results expected today will give the prime minister, Hun Sen, and his ruling Cambodian People's Party a clear victory in an election more possible largely by intense international pressure and finance. A widespread perception that he won by cheating, however, has tarnished the outcome of the poll and the standing of the observers sent by foreign governments to monitor it.

"Who are you and why are you lying to us," shouted one young Phnom Penh man, angrily waving a finger in the face of a Western analyst.

"We're angry," said a farmer hundreds of miles to the south. "People are very disappointed with the international community. They just can't believe it."

Early 24 hours after the polling booths closed in the July 26 election, and before the counting they were also sent to watch had ended, the chief spokesman of the European Union monitors endorsed the vote as broadly free and fair, in terms that look as flawed as the result.

In the end, efforts to intimidate sections of the Cambodian people appear not to have significantly influenced the conduct or the climate of the polling day itself," the spokesman declared.

A Cambodian election observer strongly disagreed. "I can't accept this statement," he said, describing extensive intimidation before and during the poll, and widespread fear of retribution after it among opposition supporters.

"The international community just didn't understand. They didn't get to the root of the problem, they only looked at the surface and they didn't see the reality."

Such criticism is less a comment on the skill of the observers than on the flaws in an operation hurriedly assembled to meet an election deadline that suited no one but Hun Sen.

The United Nations secretary-general, Kofi Annan, issued the observers' mandate in April, opposition parties were not legally recognised until May (and only registered in June), and most observers arrived in Cambodia a day or two before the poll.

"The international community, despite misgivings, acquiesced in the creation by Mr Hun Sen of an election machine tightly controlled at every level by his ruling Cambodian People's Party."

Arriving at the climax of a surprisingly tumultuous, month-long election campaign, the international observers saw nothing of the political climate that had prevailed since the bloody coup by Mr Hun Sen the previous year, followed by the killing of a hundred or more opposition party figures.

In a country where 80 per cent of the population is rural, the monitors stayed almost entirely in or near urban areas, where polling for the most part looked orderly and voters enthusiastic.

Little wonder, therefore, that their snapshot of the election process is hardly recognisable to Cambodians. Since international observers only visited 16 per cent of the polling stations — often for just 20 or 30 minutes — it is not surprising that they missed intimidation or irregularities.

They had equally little opportunity to observe the fraud alleged by the opposition in the days after the vote, or to assess the quality of any investigation into this. By then most of the international observers had returned home.

Delays in the counting of votes, rifts among the responsible for producing the results, and the use of a new formula for allocating parliamentary seats that favours the CPP, help to confirm Cambodians' suspicions that Mr Hun Sen did not leave the results to chance.

It may never be clear how far intimidation or malpractice distorted the election. The mark of claims, counter-claims and party political manoeuvring which gathered speed after the vote already obscures the substance of opposition protests.

What remains at issue is the integrity of the international operation, particularly the EU's role as principal paying the poll. It is impossible now to determine the validity of the charges one way or the other," said one diplomat close to the effort.

But just as European ambassadors in Phnom Penh prepared the ground for monitoring the election by playing down the significance of the rights abuses, violence and intimidation, EU officials now allow no doubt to qualify the observer group's ringing endorsement of the poll. "First they cover their eyes and ears," said one disgruntled Western observer. "Now they are biting their tongues."

Smoke hides Greece's devastation

Helena Smith

THE sun had disappeared. Fire racing through the forest had produced a pall of smoke big enough to block it out. Athens — the city the ancients called the "gem of the sea's rim" — lay shrouded.

Even 15 miles away in its ports, Piraeus, the wind-whipped inferno had reduced visibility to zero. The pungent whiff of burnt pine wood hung in the ochre-pink air above the harbour.

"The problem is we can't see the blaze to put it out," said one of the firefighters, Apostolis Mandelios, as flames as high as tower blocks devoured the last of Athens's pine forest.

"There's so much smoke and then suddenly the fire's in front of you."

Flames had raced down the slopes of Mount Pendeli into the suburbs of Pallini and Varkiza. As they approached, people took to their cars and fled. Many of their homes were gutted by the inferno. Some people jumped into garden swimming pools.

A nun evacuated from a nearby monastery said only the Lord had saved the young inmates of a house for the disabled and the children's hospital on Pendeli.

The glare of the flames revealed the trail of destruction. Almost everything was razed to the ground. In the middle of the lunar landscape, on a carpet of white cinders, stood the charred remains of tree trunks and houses.

From all around, between thick wisps of smoke, came the crackle of burning pine cones and the roar of the Chinook helicopters and firefighting planes in the sky above.

"We heard several explosions and the whole forest went up in flames," said Philippos Kalamaras, who had rushed to fight the blaze, fearing it would engulf his home in Varimbopi.

"There's so much dry wood around the fire went through it in a matter of minutes."

Further down the road, great plumes of dark smoke billowed from the top floor of a garment factory. Hundreds looked on helplessly as firefighters tried to extinguish the inferno.

The fires are the latest of a record number of blazes to hit Greece this summer. So far more than 400,000 acres of some of southern Europe's finest fir forests and farmland has been destroyed.

With the Socialist government under intense criticism for its handling of the crisis, the prime minister, Costas Karamanolis, cut short his summer holiday last night to hold an urgent meeting in the capital.

"There's no doubt that most of these fires have been ignited deliberately," the public order minister, George Romalos, said yesterday after a guided tour of the devastated areas.

"They're breaking out on so many different fronts, all at the same time, and the very strong winds are making it very difficult to actually put them out."

He said it had been "a difficult day", but he expected an "even more difficult night ahead" for the firefighters, who have been joined by thousands of soldiers.

The defence minister, Akis Tsochadzopoulos, said the government would start studying aerial pictures to see where the fires had begun.

Last week a prosecutor ordered an investigation into the claims that arsonists in the pay of property developers were behind the fires.

Mr Romalos said the allegations were supported by the discovery of fire crackers and time bombs in remote forest areas. "We are looking for a group of arsonists who were seen throwing fire crackers from a car."

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A devious destroyer

The West must say no

HOLIDAY-MAKERS cram the beaches of the Adriatic and Mediterranean enjoying the sun, and once again — barely 200 miles away in the interior of the continent — tens of thousands of frightened refugees are on the move. They flee artillery shells. They scramble for their tractors. They huddle in heat-soaked ravines without water or food. This is Europe in August, another battle in Slobodan Milosevic's brutal war against the 90 per cent of the population of Kosovo who happen to be Albanian. Using the advantage of the summer break, of media fatigue, and President Clinton's notorious distractions, the Yugoslav leader is taking another calculated risk.

Saddam Hussein behaves much the same way with the UN weapons inspectors. A phase of reasonableness is followed by a deliberate ratcheting up of tension. The difference is that while the UN brings its biggest guns — diplomatic with a touch of military menace — to bear on Saddam, Mr Milosevic is under far less pressure. Although the humanitarian disaster he has caused in central Kosovo in the last three weeks is as massive as his attacks on western Kosovo in May, this time the outcry from the outside world is muted. Where is the tough talk of air-strikes which we heard last spring from Western leaders when the offensive around Decani was underway? Where are the crisis meetings of ministers? Where is the UN Security Council?

Mr Milosevic promised everyone he has

met over the last two months, including President Yeltsin in Moscow, that he would withdraw his police forces to barracks. He asserted that the Yugoslav army was only there to protect Kosovo's borders. Yet there has been no withdrawal and the Yugoslav army is fully engaged. If it were merely one more case, in a ten-year catalogue of broken promises, of the Yugoslav leader being duplicitous, it would be bad enough. But there is a sneaking sense that the West's ill-considered policies have encouraged him. Anonymous Western officials whisper that they are "privately" pleased that the Kosovo Liberation Army (the military wing of the pro-independence movement) has suffered a defeat. Their views stem from a dangerous recent drift in Western policy which tends to equate the Serb forces with the KLA.

Both sides, it is argued, have to be brought to the negotiating table. Both have to stop their military action. Obviously a ceasefire is required as soon as possible, but to put the issue in parallel terms is to forget the underlying truth that the KLA represents a majority community and that its tactics are primarily defensive while the Serbs are trying to enforce an undemocratic minority regime by military means. There is no equivalence.

On the political front, the West has also been giving encouragement to Mr Milosevic by its constant insistence that there can be no independence for Kosovo. The Contact Group of five Western governments and Russia has been drafting, under British leadership, a range of possible autonomy options for the Serb-run province. Who would run the police? What sort of electoral system might there be? How can minority rights be guaranteed? All fine and good — except that it rules out the one thing, independence, which Mr Milosevic's brutal war has made the vast majority of Albani-

ans desire. They want out from under the Serb guns, not just now but for ever.

Unless the West changes the political thrust of its strategy and makes clear that it will no longer prejudice the future status of Kosovo, it will only produce what the cunning and deeply-experienced Yugoslav leader is working towards. He wants us first to condone, and then with luck support his position. In this sun- and death-kissed August it is time to say no.

Leave rates alone

The Bank may hasten recession

THERE IS no case for yet another increase in interest rates. If anything the Bank of England's Monetary Policy Committee (which meets today and tomorrow) should be thinking when the next reduction should be. Since the committee met last month there has been fresh evidence of an economic slowdown amid worries that the fall-out from Asia will be greater than expected. In addition two highly relevant pieces of academic research have been published. Professor Robin Marris has shown that all of the recent increase in average earnings — to 5.4 per cent in April — has been due to (temporarily) higher bonuses. Strip them out, he says, and earnings inflation has been static at 4.5 per cent since 1995. This would be a worry if productivity were as low as the official figures suggest. But the London Business School argues that the trend of manufacturing productivity has been hugely underestimated.

Put these two conclusions together and you find the unremarkable fact that earnings are rising by no more than you would expect during a cyclical upswing. Increases in earnings are a problem if they feed

through to prices. Yet the rise in the Government's measure of retail prices was only 2.8 per cent in the year to June. This is not far off the target of 2.5 per cent. Much of the increase in this index was caused not by wages but by Budget tax increases. Strip these out and the annual increase was only 2.0 per cent. Since we still haven't felt the effect of most of the six previous interest increases since Labour came to power (which take up to two years to influence the economy) it would seem foolhardy to raise rates yet again. The problem with incomes is not at the lower end. It is with the fat cats at the top who have set an appalling example by awarding themselves increases of 18 per cent last year.

It would be unfair to criticise the Bank for all these increases in interest rates. If the Chancellor had used fiscal policy to constrain consumer spending the Bank wouldn't have been forced to raise interest rates instead and be blamed for the devastating effect it has had on the manufacturing sector. Nevertheless, the Bank could and should have raised interest rates earlier and more sharply. The problem now is to stop a cyclical slowdown becoming a full-blown recession. The Bank should be less concerned about runaway inflation than with the real prospect of deflation. Another rise in interest rates would bring the disaster scenario that much nearer.

MacCrony

But Gus is quite a catch

IT'S ironic that, after ousting Frank Field for lacking the political arts, Tony Blair should appoint a political virgin to a sensitive spot in Scotland. But Gus Macdonald is hardly an ingenu. You might even say his

seamless passage from left-wing firebrand to corporate Blairite peer, missing such inconvenient stages as public contrition for his previous anti-capitalist form or membership of the Labour Party, exhibits impressive political skill. That and the richness of his Govan background — a lad o'pairts he surely is — ought to make him a useful point man for beleaguered Donald Dewar. Labour might take heart from the fact Mr Macdonald continues to see Labour as a vehicle of upwards ascent.

But this appointment is subject to all sorts of misgivings. The crony charge is unfair if, as Mr Macdonald affirms, he hasn't seen the Prime Minister for a year nor has ever been admitted to the spartan interior of Mr Dewar's Glasgow flat. What it does show, again, is how much the Blair government is in love with prerogative power. It is not especially enamoured of the House of Commons, either. Ignoring the ranks of Scottish backbenchers may be justified on meritocratic grounds but doesn't such a demonstration of their lack of talent explain Labour's problems north of the border?

There is something in trying to deepen the pool of ministerial experience. From the wartime appointment of Lord Beaverbrook to the peacetime mixed bag from Frank Cousins to Lord (David) Young outsiders often failed to convince either as ministers or parliamentary performers. On Lords Simon and Sainsbury the jury is still out. Yet transference of experience from one "silo" to another in our society must be good in principle. Mr Macdonald will import knowledge of shipyards and boardrooms. He's a catch, but how much more impressive would he be as minister and Scottish political operator if he had had to stand for elective office on the hustings before cameras and mikes and so pay his democratic dues.

Letters to the Editor

Islington man says gissa job

THE Prime Minister really telling his Scottish back-benchers (Cronyism row erupts, August 4) that not one of them is fit for office? I'm sure this will go down a treat with the people of Scotland when it comes to voting for the Scottish parliament.

Andrew Belsey, Cardiff.

IN the mid-eighties, Gus Macdonald used to drink in my local Islington pub, the Huntingdon Arms, only a few hundred yards away from Tony Blair's old house. I still drink there and am neither an MP nor a member of the Labour Party. Can I have a government job please?

Anthony Gunnersen, London.

SO farewell then, Nicolas Walter, rational or otherwise (Letters, August 3). How soon will he be joined by your other victim of *coaches scribbled*, Keith Flett?

Peter Stockill, Middlesex.

AS one who also attended the SWP Easter rallies at the Derbyshire Miners Holiday Camp at Skegness, I do feel that Ian Birchall (Letters, August 4) was missing something of the experience if he failed to indulge in drunkenness and sex. One reason was to underline that socialists could enjoy themselves too. And we did, despite the dreadful food and the weather.

Keith Flett, London.

Please include a full postal address and a daytime telephone number. We do not publish letters where only an e-mail address is supplied. We may edit letters: shorter ones are more likely to appear. We regret we cannot acknowledge those not used.

My brother was betrayed

WOULD like to express my anger, sadness and frustration at the treatment that my brother, David Shayler, has received at the hands of both the British and French governments. The conditions he is currently enduring are inhumane in a country such as France where the European Convention on Human Rights has been signed.

David has spent the last 72 hours in La Santé prison without access to a lawyer or to his family and friends. He has been imprisoned for criticising inefficiency within the MI5. He has not yet been charged with any crime. As the Guardian stated, (Leader, August 4), David is being condemned for a crime that was opposed by our Prime Minister and Home Secretary in 1989 when the Official Secrets Act received royal assent. Quite simply, my brother is being made an example of. After all, we have been informed that his revelations are unreliable and that he was a "junior" within the walls of Millbank. Why then have they come down on him with the force that one would

expect for an IRA terrorist or a suspected murderer?

Before Saturday evening I found it difficult to empathise with supporters of certain causes, such as the Hillsborough Disaster families. I would now like to extend my sympathies to such parties. Like my brother he believed that this Government would lend a sympathetic ear to the wrongs that were committed under the Tories. How wrong we have all been.

Jeremy Shayler, London.

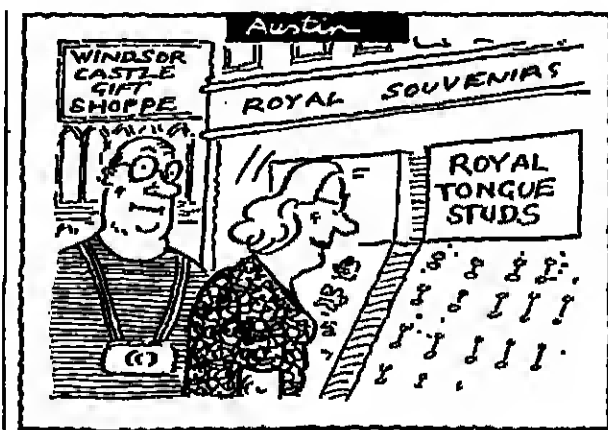
PROPOSALS to "storm the Data Protection Act" may be a little premature given that the level of security surrounding the MI5's 600,000 personal files is not as watertight as it is, and your correspondents, might believe (Letters, August 1). S.M. Newbury questions the whereabouts of records detailing the vetting of military personnel. A quick check of the Data Protection Register for entries relating to the Ministry of Defence reveals that entry number G0626166 covers a computer database handling the MoD's security vetting of

service personnel, MoD and other Whitehall staff.

It specifies "political activities" in the lengthy list of categories of data held. So for a modest search fee of £10, S.M. Newbury should find that the Data Protection Act of 1984 will reveal all.

But more significant is that many MI5 and MI6 files are already in the public domain, as other policing agencies in this country do not share the security and intelligence agencies' obsession for blanket secrecy. Data Protection Register entry number E057626 relates to a major Metropolitan Police intelligence database. The entry shows that the security services routinely pass data to the Met, which then holds it on a computer registered under the Data Protection Act. Therefore all such data passed to the police by MI5, MI6 or GCHQ is available for scrutiny by the "data subjects".

The same applies to a database operated by Customs and Excise (E030610X). David Northmore, London.



When Spam was glam

YOUR Hall of Infamy No 5 (August 1) was a lively read but less than fair to its subject — Spam. Whatever the taste and texture of today's made-in-Denmark under-licence Spam, the WWII product was never a wobbly mass of pink pig. Hormel's pork-and-ham delight was as manna to the wartime housewife. "God bless America!" my mother used to say as she opened a tin. Spam (from spiced ham) brightened our table as often as it could be obtained. While it was never rationed, Spam was scarce and required "points".

Ironically, while my mother searched for the stuff, my father had in his care several emergency food stores. Here it was listed as Supply Pressed American Meat (also Spam). So straight was my dad that when the stores were handed over to the military in 1944 out an ounce of Spam was missing. Our family often sighed at the opportunity lost.

Jim Branton, Edinburgh.

PLEASE don't knock Spam. It is delicious sliced, grilled each side and served with new potatoes and runner beans. It tastes completely different from its original cold state. M.E. Veale, Bath.

Critic's critique

JOY Ronson's informant J reply to your report on the TV series, Critical Condition, (Letters, August 1) is syntactic. When I met Ronson to discuss appearing in his film about opera critics, it was precisely because I suspected he planned to portray us along the lines of "a crew of the craven and corrupt" that I declined to be interviewed. His theory that opera

reviewing in newspapers is on the way out is manifestly bogus. I told him that the real story was the disappearing classical concert notice, but that didn't suit his script. I smelt a rat when Ronson's associates proposed filming me in unlikely situations: a free lunch on the Orient Express and an all-expenses-paid trip to the Barbados Opera Festival, neither of which I would dream of covering.

Hugh Canning, Music critic, Sunday Times.

How the Truth Commission has helped to heal us

AS A South African trade unionist, I have experienced the Truth and Reconciliation Commission quite differently from your Leader writer (August 3). I am relieved to know at last what happened to my friend and fellow activist Stanza Bopape who was said by police to have escaped from custody in June 1986. Hearings revealed that he had a heart attack as a result of electric shock torture, and that his body was thrown by police into a crocodile-infested river. Knowing too that the security forces were responsible for the May 1987 bombing of the headquarters of the trade union movement, Cosatu, where I worked vindicates the argument at the time that such attacks were state-sponsored terrorism, and not the actions of rogue elements. The knowledge now that youths were trained by the South African Defence Force to act as hit squads against trade unionists and political activists in Natal at a time when the

world press described the carnage as "black-on-black violence" helps remind people like myself that we were not mad or paranoid in arguing the existence of a state-trained third force. Your suggestion that the attorney general of one region of the country could have uncovered the same degree of truth without any offers of amnesty is not plausible.

The real process of reconciliation lies with the TRC's compensation and victim support activities and ultimately with the capacity of the government to implement the TRC's final recommendations, not with a superficial opinion poll. The TRC clearly has not been flawless and may not be an appropriate model for Northern Ireland. But to call it "Archbishop Tutu's adventures in pursuit of the truth" is insulting to all of us who are trying to make a difference in the new South Africa. Jane Barrett, London.

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Straw man

Mark Steel



POOR Jack Straw. There are few things more disconcerting than crazy people agreeing with you. As a columnist, the worst sort of letter to receive is one that starts to agree with you. As a columnist, the worst sort of letter to receive is one that starts to agree with you. As a columnist, the worst sort of letter to receive is one that starts to agree with you.

Guardian which ended: "Jack Straw is right. Bogus asylum-seekers should be removed... the others should be dispersed to outlying parts of the UK where they'll be better placed to learn English."

Demanding that foreigners are kicked out of your areas isn't racist. It's just helping them develop a full range of regional accents. In fact, it's no wonder the Home Office are so sceptical of their claims when the refugees have learned their English in London. All their claims read: "This geyser right, walloped these electrodes on me plates o' meat" did. Straight up.

Another new fan of Straw is my local paper, the Croydon Advertiser. The Advertiser has become notorious for staff at the Refugee Council. A typical headline reads: "Benefits crackdown weeds out cheats who milk the system."

Almost every week it gives prominence to the amount the asylum-seekers are "costing the borough". The next stage might be to mention it in the entertainment pages. "This Sunday at Fairfield Halls you can enjoy good clean fun with the long-awaited return of the Baron Knights, far less than what it costs to house an Albanian."

For several months, most articles about refugees have included mention of one attack by an asylum-seeker on a local resident. Although they don't insist that every item concerning England has to mention the Great Train Robbery. And why does one crime by one asylum-seeker mean there should be restrictions on the rest? I don't suppose that when Derek Bentley and Christopher Craig were caught on that roof in Croydon, the Advertiser said: "And once again the culprits were English. So isn't it time for the Home Secretary to make all the English go and live in Nigeria?" But this week they do applaud Straw for his "plans to root out abuse of the system

... so they can be sent home quickly". Another potential fan is the Richmond Times, which told its readers recently: "Fordes of refugee children from war-torn countries are depending on Richmond, leaving the council to pick up the bill." As if families being fired at in Rwanda are thinking: "Well, this is good for the kids, 'cos as long as they survive they can have a lovely picnic by the river in Richmond."

THREE paragraphs later the Richmond Times gives details of these horrors — seven children in three months. They haven't quite grasped the idea of a horde, have they? When the journalist reads about Vikings coming in hordes, does he think that means one Viking a fortnight? Until after three months, when the Celts said: "Well, we're done for now; there's seven of them." So shouldn't Jack Straw be concerned that he's being

cheered by every racist with crazy logic. Perhaps not, for his own logic seems just as strange. "The genuine asylum-seeker needs food and shelter not a giro cheque," he said when announcing his measures to replace cash payments with food parcels.

Which shows an alarming lack of understanding of how money works: apparently he is unaware it can be changed for food. Maybe this is why the Cabinet insist on having businessmen around for dinner. They think "All their salaries consist of is millions of pounds and share options, without so much as a Weetabix to eat. They must be starving."

Another new measure is to assign officers at foreign ports, to prevent refugees boarding flights without the correct papers. Are there regimes which torture people, but nonetheless have an efficient system for providing papers in case you want to escape? So that during interro-

gation, you can ask: "Before the next going over with that cattle prod, could you sign my B26 for me, please?"

Straw would, of course, insist he's not a racist. But he said when announcing his measures to replace cash payments with food parcels, and the tone in which he announces them, gives delight to the crankiest racists going. And the crankiest would be pressed to beat his plan for security bonds, demanded from relatives wishing to enter Britain for family occasions, such as weddings and funerals. Just in case there's anyone who might hear their sister's died, and think: "That's handy, after the funeral I can slip off and take advantage of Britain's generous food-parcel system." Maybe they should check the corpses to see if they're in on it. The genuine dead would be nothing to fear, while officials could check if bogus grave-seekers had really had a heart attack, or were just putting it on so they could stay in our earth at enormous cost to the taxpayer.

Serge Golovine

Poet of the dance

SERGE Golovine, who has died in hospital of complications following heart surgery, at the age of 73, was the supreme French male classical dancer of his generation, revered worldwide — not least in this country — and idolised in Paris.

His fame and popularity were only to be equalled by that of Rudolf Nureyev. Perhaps prophetically, when Nureyev briefly joined the Grand Ballet du Marquis de Cuevas in Paris after his defection from the Soviet Union, the two dancers shared the roles of Prince Désiré and the Blue Bird in the company's production of *The Sleeping Beauty*.

Golovine was born in Monaco, into the world of Russian émigrés who had settled there after the revolution of 1917. His parents were from opposite sides of Europe, his mother from Brittany, his father from Russia. On his father's side he numbered many artists, among them an uncle who was a stage painter at the Imperial Theatre and a grandmother who was a gifted pianist.

In Monaco, in these surroundings, Golovine received his early training from Julie Sedova, a former ballerina of the Maryinsky in St Petersburg, and also from Gustave Rigaud Ricaux, a celebrated French teacher who lived in

Monaco during the German occupation of Paris in the second world war.

Inspired by seeing his contemporary, the equally gifted Jean Babilée, and determined to emulate him, Golovine won early fame when dancing with the Monte Carlo Opera Ballet, especially in the role which Nijinsky created in *Le Spectre de la Rose*, which he danced at the age of 18.

Inevitably he made his way to Paris, where he continued his studies with Carlotta Zambelli, Olga Frolova-Jenskaja, and Alexandre Volinine, his technique thus embracing the best traditions of the Italian, Imperial Russian, and French schools. He joined the Paris Opera Ballet in 1946 but had to progress slowly from the corps de ballet before attaining the title of "grand sujet".

He danced important roles in Balanchine's *Palais de Cristal* (*Symphony in C*) and *Serenade* but found the slow progress irksome and in 1949 joined the Grand Ballet du Marquis de Cuevas. This troupe, one of the last to be financed by a private fortune, was a company of stars and Golovine quickly shot into their orbit when he danced, in Barcelona in 1950, at short notice, the Black Swan pas de deux from *Swan Lake* with Cuevas's great ballerina, Rosella Hightower, and caused a sensation.

With Cuevas, Golovine

danced an enormous variety of roles, all with distinction, commitment, and radiance: purely classical, romantic, dramatic and others which displayed most beautifully his quiet, but innate charm.

From the Diaghilev repertory, he repeated his Spectre and was a famous Petrushka — coached in the role by Bronislava Nijinska, who was a great admirer. Golovine, in turn, was to stage Petrushka impeccably for other companies after his retirement.

In the classical repertory, his Blue Bird equalled that of his idol Babilée and he was a fine Albrecht in *Giselle*, partnering many great ballerinas.

HE DANCED James in *La Sylphide* with Hightower and also, in 1955, with Alicia Markova. Other roles were the Poet in Balanchine's *Night Shadow* and the Poet in *Annabel Lee*, a ballet based on Edgar Allan Poe's poem, by George Skibine — many of whose roles Golovine was to inherit. He was delighted in the demi-caractère role of the Miller in David Lichine's *Le Moulin Enchanté*, irresistible as the Dandy in Massine's *Le Beau Danube*, astounding in the virtuosity of Balanchine's *Pas de Trois Classique* which he danced with Hightower and the incomparable Nina Vyroubova.

After the death of the Marquis, in 1961, Golovine left to found his own troupe, touring widely and then, from 1964-68, was artistic director and principal dancer of the Geneva Opera Ballet. He retired from the stage in 1976 to found his own school in Geneva and then to teach for his sister, Solange Golovina, in Paris. His two brothers, George Gavriloff and Jean, were also dancers.

Ultimately, and most famously, he taught at the Paris Opera Ballet School. The director of that school, Claude Bessy, had fallen in love with Golovine when she was but 15 years of age. Reunited many years later, they eventually married, just two years ago.

Last April they appeared together, as the Governors and the Old General in Lichine's *Le Bal des Cadets* (*Graduation Ball*) with pupils of the school. In June, Golovine was awarded the Legion d'Honneur by Madame Trianon, the Minister of Culture.

A reserved and very private person, Serge Golovine was universally loved by colleagues and pupils alike. The memory remains of a dedicated and a much-loved artist.

Mary Clarke

Serge Golovine, dancer, born November 20, 1924; died July 31, 1998



Supreme star ... Serge Golovine, Lilian Van der Weld in the ballet *Annabel Lee* based on the Edgar Allan Poe poem

Tom Kaiser

Meteors and socialism

IN JULY 1949 the physicist Tom Kaiser, who has died aged 74, travelled from Oxford University to hand out pamphlets outside Australia House in London. The pamphlets were headed "Severe Acts of Australian Government", and dealt with the decision by his homeland's Labour administration to fail striking coal miners.

Because he was on a Commonwealth Scientific and Research Organisation studentship — having just completed his doctorate — he refused to give his name to journalists. The reporters subsequently obtained it from Australia House officials, who had recognised him. A cable was sent to Australian prime minister Ben Chifley: "Atom Scientist in Red Attack on Chifley Government" blazoned a Sydney Sun special. "Laxity in Research Screening" headlined the Sydney Morning Herald.

Tom Kaiser was sacked from the CSIRO for "grave indiscipline and breach of discipline". He was ordered to return to Australia and faced an inquiry. Thus was he unable to work in radio, or nuclear physics in Australia. Back in England, in 1950, he became an ICI research fellow at Manchester University's Jodrell Bank experimental station. There he began his work in space science, using radar to research the ionization trails of meteors. In 1954

he then president of the Royal Astronomical Society, Professor Carole Jordan, presenting Kaiser with the society's gold medal, noted that the papers he had written three decades earlier, remain the fundamental ones on the cross-section of the meteor ionization trail.

Kaiser was also (in the early 1950s) a member of the Communist Party of Great Britain. In 1952 he was a signatory to a cable to President Truman protesting against the death sentences imposed on Julius and Ethel Rosenberg who had been convicted of spying for the Soviet Union. A reply sent him at Jodrell Bank alerted the director, Sir Bernard Lovell, to his CPGB membership. This, together with Jodrell Bank's reliance on US funding, led to a parting of the ways. Kaiser moved on to lecture in physics at Reading University.

In 1956 the space age was born, and Stalinism met its great crisis with the Hungarian uprising. It was the year that Kaiser became a senior lecturer at Sheffield University. A nearby hill provided a radar base. From there pulses were bounced off meteors. He was, as Jordan observed, "one of the first to realise that space technology would be important for the study of the upper atmosphere".

The confrontation between the Hungarian people and the Stalinist regime profoundly



Tom Kaiser ... idealism and science

affected Kaiser. He left the CPGB.

Ten years after his arrival at Sheffield he became professor of space physics. He built up an internationally recognised group at the university, pioneered the role of Antarctica in space physics and focused on rockets and satellites.

Kaiser was born and educated in Melbourne. He was graduated with a first in physics and radiophysics from the University of Melbourne. While working as a research officer in the Sydney Radiophysics Laboratory of the Council for Scientific and Industrial Research, he prepared his MSc. Then in 1947 came his CSIRO studentship, and research at Oxford University's Clarendon Laboratory. Together with his PhD in 1949 came a Blue for la-

crosses, which he continued to play and referee for many years.

The 1994 Royal Astronomical Society presentation was attended by many of his former students and colleagues, people eminent in their own fields, who wanted Tom to know how much they had been inspired by his teaching. His resignation from the CPGB four decades ago did not weaken his socialism. He was a lifelong supporter of the Campaign For Nuclear Disarmament, and backed the Vietnam Solidarity Campaign in the 1960s.

He survived by his wife two sons and a daughter, and four grandsons.

Jeanne Wisemann

Tom Kaiser, space physicist, May 2, 1924, died July 2, 1998.

Florence Bird

A way for Canadian women

IN 1967 Florence Bird, who has died aged 90, was appointed to chair Canada's Status of Women, the first woman to head a public inquiry in the country. Newspapers promptly ridiculed the "SOW Commission" as "a walling wall for every scatter-brain, malcontent and frustrated pope in skirts".

Cartoonists meanwhile portrayed the female commissioners as the bosomy, blue-stockinged equivalents of Lord Durham. He was the short-lived Governor-General for Canada, whose 1839 Report On *The Affairs of British North America* created vast controversy about the future of the Canadian state.

Florence Bird and her colleagues worked from freezing, temporary offices that also housed the Royal Commission on Farm Machinery. They cultivated the Canadian Broadcasting Corporation to ensure local publicity and national coverage of the Commission's hearings. They put filters in supermarkets, provided open telephone lines to the commissioners, and came up with seating arrangements that replaced the formal daises of public inquiries with cross-table talk. Thus were Canadian women encouraged to come forward.

And they did so in their hundreds, destabilising assumptions about women, challenging the commission's carefully coded terms of reference that had asked how governments might include women in a male-defined world. They recounted heart-

wrenching stories of poverty and discrimination, debated the values of mothers working inside and outside the home, pleaded for adequate birth control, alimony, abortion facilities and, above all, child care. They generated a textual and oral history that revealed the different ways in which class, education, religion, race and motherhood structure women's lives.

The Commission was set up in the centenary of Canada's statehood. "Mrs John Bird" was appointed by Prime Minister Lester B. Pearson, who had responded reluctantly to women's demands for an inquiry into inequalities. But in an era of minority government with the feminist mystique spreading north from the United States, the female electorate required placation.

Bird was an astute appointment. Pearson felt she had the savvy to produce a report to which the government could respond. She was not one of the "new suffragettes" lobbying for a commission, but had good credentials on questions of human rights and gender equity. Known as "Anne Francis" — she worked under her great-grandmother's maiden name — Bird had a reputation for even-handed journalism and had become well known for a television series on women's work.

Florence Bayard Rehn came from a well established Philadelphia family. Educated at Bryn Mawr — one of the elite "seven sisters" women's colleges — she emigrated to Canada in 1930. She

worked in Montreal and Winnipeg before moving to Ottawa in 1948. It was there, having written in the Canadian Food Journal as "Suzette Oiseau" that she built her career as a CBC documentary reporter. She married journalist John Bird — who had been at Oxford with Pearson in 1928. He predeceased her.

Florence Bird's Commission helped to trigger Canada's contemporary feminist movement. She enabled women to air concerns about the public and domestic dimensions of their worlds and sketch out their visions of a better life.

The Commission's 1970 report, with 169 recommendations,

provided the Canadian government with an agenda for policy change and feminists with a manual around which to organise.

Bird was appointed to the Canadian Senate in 1978. There she lobbied to keep issues of concern to women on the agenda and retired in 1983. But it is her work as the first female royal commissioner in Canada that is her legacy: one that transformed relations between women and the Canadian state.

Annals Mac Timpson

Florence Bayard Bird, broadcaster, commissioner and senator, born January 15, 1908; died July 18, 1998



Florence Bird ... transforming zeal

A Country Diary

WENLOCK EDGE: The woods hang from the Edge like wet washing. When the wind gets up, the trees flap and shake out wood pigeons, flung like sudden rags into the sky. Under foot, despite all the rain, many slopes are still quite dry. There is a thick, apprehensive shade under the canopy of ash. The growing season is winding down and flowering things are charging up their seeds. But something stirs in the shadows from the grey hill-wash ash, a ghostly presence, strange and exotic. Although it seems to belong to a seasonal pulse which issues far beyond this place, it has an ancient tenure in these woods. Even if you didn't know what it was, you would guess straight away that it belonged to the mysterious world of orchids. I have harboured a suspicion that an enthusiasm for orchids is a sign of repressed sexuality. If that condition assumed the personality of a romantic fic-

tion character it could be named after this plant — Violet Helleborine. And here she is: a few scattered plants growing from bare soil on a slope which was a dense lawn of wild garlic in spring. The leaf undersides have an inky purple stain and the small, creamy flower buds are still tight on the curving stem, waiting for that moment when the smouldering passion bursts. I have been watching for a couple of weeks and she is still smouldering. This sort of orchid, which is about its northern limit here, originates in continental Europe and links this part of Shropshire more to the south than to the Atlantic west. According to a local cleric-botanist of the last century who fiddled about in the weird roots of these plants, violet helleborine is semi-parasitic. I have a feeling it is not just the roots of other plants she feeds on.

PAUL EVANS

Letter

James Ross Moore writes: Billie Barnes (*Obituary*, July 30) had a lively career in West End musicals before becoming one of Hollywood's most notable faces. Sometimes known as "Billie," she towered over John Mills in 1930's *Cavalcade*, having already sung of tragic parting in Andre Charlot's 1928 revue

and, blessed with Vivian Ellis tunes, starred opposite Melville Cooper in *Little Tommy Tucker*, a 1930 musical comedy about radio. In 1934 she led the cast of *Yours Sincerely*, from which she recorded *Come Up and See Me Sometime*. She revived some of her London material in the British War Relief revues staged by Charlot in Hollywood during the 1940 London Blitz.

Vladimir Dudintsev

Accidents of history

IN 1956 Vladimir Dudintsev, who has died aged 50, became famous overnight when his novel, *Not By Bread Alone*, was published in Moscow. It was an open condemnation of Soviet bureaucracy and its hero (an idealist who is crushed by his superiors) seemed to symbolise the fate of many under Stalin. Serialised by the influential literary journal *Novy Mir* in 1956 after Khrushchev had criticised his predecessor in the Secret Speech to the 20th Party Congress criticising Stalin, it became a symbol of the thaw and the new openness in Soviet society during Khrushchev's early years in power.

Vladimir Dudintsev was born into an intellectual family in Kupiansk near Kharkov in Ukraine. He studied law in Moscow, graduating in 1940. A year later, after the Soviet Union entered the second world war, he was called up and was involved in the defence of Leningrad. Wounded, he was sent to Siberia as a military lawyer but at the end of the war returned to Moscow and began working as a journalist and writer of semi-autobiographical short stories.

Set in a factory, *Not By Bread Alone* is in essence a socialist realist novel. It has an engineer-hero, Lopatkin;

an invention which would improve the output of the factory, a machine to manufacture pipes; and an impediment, factory boss Drazdov, bent on rising through the ranks and getting to Moscow, who thwarts the introduction of Lopatkin's machine. Yet the novel ends in tragedy, not triumph, for its hero who is arrested for divulging state secrets and sent to the Gulag.

The enemies who remain unvanquished are not class enemies or foreign saboteurs, but the system itself and the apparatuses and bureaucrats who run it. Dudintsev succeeded in creating a milestone in Soviet literature, but not a work of serious literature. *Not By Bread Alone* was later described by the British critic, Max Hayward as a poor novel which is "historically important". When it was published it caused as much, if not more, controversy than Alexander Solzhenitsyn's *A Day in the Life of Ivan Denisovich* which came out five years later. Public meetings were convened to discuss Dudintsev's message. He was acclaimed for telling the truth about Soviet life after decades of deceit.

But his moment of public approbation was short-lived. The Hungarian uprising in

November led to a partial crack-down on open criticism of the Soviet system. Soon Dudintsev was being accused of "trying to blacken and pull to pieces all that the Soviet people had created". In early 1967 he was attacked at the Writers' Union for painting a distorted and pessimistic picture of Soviet society. His mistake was to suggest that Drazdov was a "mass phenomenon" in the Soviet Union rather than an illustration of a type which had flourished under Stalin and, although harmful, had not infected the entire body politic. Dudintsev refused to accept the criticism and a few months later resented Khrushchev himself to ire. The Soviet leader told a meeting of writers that *Not By Bread Alone* was an "obnoxious work" and its author "a calumniator who took malicious joy in describing the negative side of Soviet life".

Although Dudintsev was not punished for his dissent, his literary career was effectively over. A couple of volumes of short stories appeared at the end of the 1960s, but they attracted little interest and he turned to translating Ukrainian literature into Russian to survive. Twenty years later in 1987 at the height of glasnost, he responded with a new novel *Belie Odashdy* (White Clothes)



Comment on Soviet society — Vladimir Dudintsev

about the persecution of a group of scientists under Stalin which was later turned into a television serial and *Not By Bread Alone* was once more discussed for its historical message.

Not By Bread Alone is unlikely to be remembered for its literary qualities, but it did mark a significant political milestone not only in its subject matter, but also for the way Dudintsev's criticism of the Soviet Union was dealt with by the leadership: he was ostracised but not exiled, a mark of how, under Khrushchev, the Soviet Union dealt with dissent.

Dudintsev married Natalia in 1942. They had a son and three daughters.

Isabel Montgomery

Vladimir Dmitriyevich Dudintsev, novelist, born July 7, 1918; died July 23, 1998

CORRECTIONS AND CLARIFICATIONS

THE relatives of disc jockey Tony de Vix wish to point out that he was not HIV positive, as stated in our obituary of him (page 16, July 8). We apologise to them, and to Mr de Vix's partner, Andrew Buckley, whose name we got wrong in the obituary.

THE Campaign for a Fair Hearing is located in Cambridge and not in Oxford, as was wrongly stated in a letter (page 15, yesterday). The Campaign's address is:

PO Box 54, Cambridge CB5 8BB.

It is the policy of the Guardian to correct errors as soon as possible. Please quote date and page number. Readers may address the office of the Reader's Editor by telephoning 0171 239 5599 between 11am and 5pm, Monday to Friday. Letters to Readers' Editor, The Guardian, 119, Farringdon Road, London EC1R 3ER. Fax: 0171 239 5897. E-mail: reader@guardian.co.uk

Birthdays

Neil Armstrong, astronaut, 68; Billy Bingham, football manager, 67; Barbara Flynn, actress, 60; Boh Geldorf, singer and broadcaster, 47; Allison Hayes, lawyer, 30; Lord (Peter) Inge, former chief of the General Staff, 63; Christopher Kitching, secretary, Royal Commission on Historical Manuscripts, 53; Martin Lambie-Nairn, designer of the millennium logo, 63; Carol Lane, writer and campaigner, 61; Sir Bert Millip, former chairman, Football Association, 84; John Monks, general secretary, TUC, 53; Rodney Pattison, yachtsman, 55; Miriam Rothschild, zoologist and entomologist, 90; John Speller, MP, under-secretary of state for defence, 51; Paul Thompson, director, Design Museum, 35; Jimmy Webb, songwriter, 52.

Deaths Notices

HARRY, Mrs. Felicia, peacefully on 2nd August 1998, wife of Tom Hart D.1923, and former wife of Charles Graham Brown, died in action 1943. Leaves two sons, Peter and Stephen and a grandson, Edward. August 1998. Arrangements by Mrs. Stephen Brown only, daughters to Marie Slopes, Chislehurst or 0459-00, Arnold Funeral Service 01484 47272.

WADE, Roland Henry CBE, died peacefully at Throby, Huntingdon, on 2nd August 1998, aged 91 years. Husband of the late Mrs. Wade and the late Mrs. Wade. Burial at Huntingdon. Private family cremation. A thanksgiving service will be held at a later date.

Engagements

BOYD-CARPENTER, PETERALIS-DHONG. The engagement is announced between Peter, son of Sir Thomas and Lady Boyd-Carpenter, of Chislehurst, Kent, and Alicia, daughter of Sir Peter and Lady Boyd-Carpenter, of Chislehurst, Kent. The wedding will be held at a later date.

مكتبة المصطفى

Analysis Law lords

Twelve of these men – for they are all men – will be the defenders of our newly-won human rights. The two in the thick border have just been chosen. There was no advertisement, no interview, no selection panel. Just secret soundings. The same applies to their replacements in the Appeal Court, to be chosen soon. It's high time things changed.

By Clare Dyer

HOW to choose a judge, docket one. The appointment is going to play a key role in protecting human rights, so the British state took pains to ensure a lawyer with the most knowledge and experience was chosen. The job was advertised. From the 33 applicants who submitted a CV, a shortlist of five was drawn up. To interview them a high-powered assessment panel convened, on it two of the country's most senior judges, the permanent secretary to the Lord Chancellor's Department, the chief legal adviser to another government department, and, as a lay representative, the former deputy chairwoman of the Equal Opportunities Commission, Joanna Foster. One of the judges on the panel, Lord Justice Simon Brown, was a public lawyer with years of experience of fighting the battles of individual versus state both at the Bar and on the bench.

That was the process by which this year the name of Nicolas Bratza QC was put forward to become Britain's first full-time judge at the European Court of Human Rights, which sits in Strasbourg under the aegis of the Council of Europe.

By contrast, docket two: the procedure by which Lord Justice Millett and Lord Justice Hobhouse emerged to become the newest of Britain's 12 law lords, our supreme court. For them, no advertisement, no CVs, no interviews and no selection panel. Instead, "soundings", secret chats among other senior judges – the other law lords, the Master of the Rolls (Lord Woolf) and the Lord Chief Justice (Lord Bingham). The Lord Chancellor recommended the appointments to the Prime Minister, who put the names forward pro forma to the Queen.

Yet those law lords, Millett and Hobhouse, will play a higher role than Nicolas Bratza in safeguarding the rights of the individual against the state in Britain. Once the Human Rights Bill incorporating the European Convention on Human Rights (ECHR) comes into force next year, Britain's citizens will be able to enforce their fundamental human rights in their own courts.

Cases will go to the law lords on appeal, giving them huge influence on how the judiciary exercises its own and demanding role as the guardian of our basic rights and freedoms. Since the law lords sit in panels of five (with at least a three-two majority to decide the issue), a single judge can swing the balance decisively in the new full-time European Court of Human Rights at Strasbourg, where judges will sit in groups of seven or 17, the scope for individual influence is less.

The law lords are about to change fundamentally. They are taking on a role akin to that of the United States Supreme Court or the South African constitutional court. Yet to the public they are unknown. They are selected by a secret process which involves a politician, and an unelected one at that (the Lord Chancellor).

In the United States, candidates for the Supreme Court bench are quizzed publicly about their views by the Senate Judiciary Committee. South Africa has a judicial service commission with lay representation which subjects candidates for the constitutional court to lengthy interviews, often in public. The retired permanent secretary in the Lord Chancellor's Department, Sir Thomas Legg, not known for his radicalism, recently suggested that the House of Lords, once reformed, might set up a judiciary committee which would question law lords-elect in public. Lord Mackay, Lord Chancellor in the last Conservative government, was convinced that judges' political views would have to come under scrutiny if the ECHR were incorporated into domestic law – his main reason for opposing the move.

The experience of other countries shows that the backgrounds and views of the judges in the final appeal

court do matter in how rights are interpreted. Anne Bayefsky, professor of law at York University in Toronto, notes that the supreme court of Canada started out interpreting that country's charter of rights and freedoms liberally but later rowed back as its personnel changed.

"The Canadian supreme court's general retrenchment on charter review in recent years seems to have more to do with changes in the court's membership and particular judicial personalities than principle," she wrote in the European Human Rights Law Review (1). "The crucial role of judicial experience and predisposition to the outcome of charter cases, and the fact that an entrenched bill of rights inevitably gives judges the responsibility of defining and applying basic community values, means the legitimization of judicial decisions will depend on greater representation on the bench from different segments of society. A judiciary which seeks – albeit usually covertly – to gain general assent for the fundamental moral decisions made inevitable by a constitutional bill of rights will require a greater diversity of membership than is hitherto the case in either Canada or Britain."

In Britain there is little prospect of greater diversity while the pool of candidates remains so restricted and advice about new appointments comes mainly from those already on the bench. A 1992 report on the judiciary from the all-party law reform group Justice, chaired by Robert Stevens (now Master of Pembroke College, Oxford) pointed out that four senior judges have an effective power of veto over High Court appointments (2). "Selection relies heavily on the views of those in post, and there has proved to be a risk of bias towards self-replication." It's more than a risk. Senior judges

come from a remarkably similar background, male, white, public school and Oxbridge, which has changed little in the past 50 years. There are no women among the law lords, only one among the 35 Appeal Court judges, and seven among the 97 High Court judges. Ethnic minorities are completely absent from the higher judiciary. There are no black full-time judges at any level, and only four (mainly Asian) ethnic minority circuit judges out of 658.

This week two new judges are due to be appointed to the Appeal Court to fill the gaps left by Hobhouse and Millett. They are certain to be white, but will they be male? The Association of Women Barristers, the Association of Women Solicitors, and the Fawcett Society have been lobbying for the appointment of two women, Dame Mary Arden and Dame Brenda Hale, both of Appeal Court calibre. Arden still has some time to serve as chairman of the Law Commission, so is probably not in the running. But will Lord Irvine the Lord Chancellor, who talks

a good line on equal opportunities, put his words into action and double the number of women from one to two?

The current system could hardly be better designed as a way of keeping things as they are, filling the bench with "people like us". Full-time judges for the High Court and the circuit bench are drawn from the pool of practising barristers and solicitors who have sat for several years as part-time recorders or deputy High Court judges. Files are kept on them from the time they first apply for part-time posts. Soundings are taken from judges, leaders of the Bar and solicitors' profession, and senior colleagues. Comments are given on the basis that the candidate will never be told what has been said about them or who said what. They have none of the rights of civil servants or other employees to look at their file.

Labour planned, once in power, to open up this fusty system through a new judicial appointments commission, replacing the soundings with a more scientific method of selection and bringing in a lay ele-

ment. In Law Reform For All, published a year before Labour came to power, Lord Irvine put forward the radical suggestion that there should be three new non-lawyer members for the House of Lords, whose votes would rank equally with the judges, to be appointed from a list drawn up by an independent judicial appointments commission (3). Once in office, he shelved the idea.

Lord Williams of Mostyn, the new prisons minister, still favours a commission. He has advocated a judicial college to deal with appointments and training since his time as chairman of the Bar in 1992. In 1994 he described a decision by the Conservative Lord Chancellor, Lord Mackay, to advertise appointments to the circuit bench as "no more than cosmetic tinkering" (Lord Irvine has since extended the tinkering to High Court appointments). In the same article Lord Williams said an incident in which Lord Mackay tried to tell a judge how to deal with appeals raised questions about whether a Lord Chancellor should have any direct control

over judges' appointments (4). A worrying feature of the present composition of the Lords is that none of the judges is an expert in criminal law. Some of their judgments have brought confusion rather than clarification to an important area of the law and one where they will have a bigger role after incorporation of the ECHR. Why no criminal lawyer? Because those seen as having the best brains tend to come from commercial law backgrounds and those are the judges who are promoted. Distinguished academic lawyers, who have been among the most successful appeal judges in other countries, could fill the gap and help to widen the judicial pool.

The Justice report, from a committee which included three leading QCs, an ex-president of the Law Society and a former circuit judge, called for an appointments commission with a small judicial input, but a lay majority. It would hold selection boards, like the Civil Service, and advise the Lord Chancellor on appointments. As judges are increasingly called upon to examine the

validity of legislation and executive action, the way they are chosen should be at least partially isolated from the executive, said Justice. Robert Stevens, chairman of the committee, spent much of his career in the US and was a professor of law at Yale. The author of several books on the judiciary and the administration of justice, he favours a commission which would appoint rather than advise. "You can't in this day and age have a system in which, however much consultation there is, none of it is in public and none of it is open to any scrutiny. Here is a politician, a member of the cabinet making appointments. In what sense are they political? Only the English could describe that as apolitical."

Sources: (1) 1997 European Human Rights Law Review, issue 5; (2) The Judiciary in England and Wales, Justice, 1992; (3) David Bean (ed), Law Reform for All, Blackstone Press, 1996; (4) A new future for old tricks, Guardian, May 24, 1994. Researcher: Matthew Keating. Clare Dyer is the Guardian's legal correspondent.



From Trotsky to Tony



Lord Brown - Wilkesdon Age 65 Educated Lancing, Oxford, Trinity Inn, QC 1976 Chancery Knighted 1977



Lord Clyde Age 66 Educated Edinburgh Academy, Oxford and Edinburgh QC Scotland 1971 College of Justice of Scotland



Retiring October: Lord Goff of Chieveley Age 71 Educated Eton, Oxford, Inner Temple Queen's Bench Knighted 1975



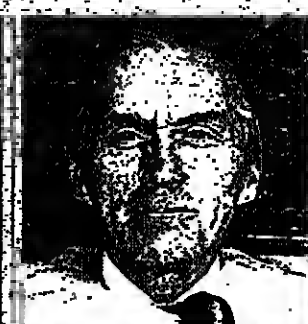
Just appointed: Sir John Hobhouse Age 66 Educated Eton, Oxford, Inner Temple QC 1973 Queen's Bench Knighted 1982



Lord Hoffmann Age 63 Educated South African College School, Cape Town, Cape Town and Oxford, Gray's Inn QC 1977 Chancery Knighted 1985



Lord Hope of Craighead Age 59 Educated Edinburgh University in Toronto, Cambridge QC Scotland 1976 Court of Session



Lord Hutton Age 65 Educated Sturminster Newton QC Northern Ireland 1970 High Court of Justice, NI Knighted 1988



Lord Lloyd of Berwick Age 68 Educated Eton, Cambridge, Inner Temple QC 1967 Queen's Bench Knighted 1978



Just appointed: Sir Peter Millett Age 66 Educated Harrow, Cambridge, Middle Temple QC 1973 Chancery Knighted 1986



Lord Nicholls of Birkenhead Age 64 Educated Birkenhead School, Cambridge, Middle Temple QC 1974 Chancery Knighted 1983



Lord Steyn Age 55 Educated Rye Grammar School, London and Cambridge, Gray's Inn QC 1979 Queen's Bench Knighted 1985



Lord Sweeney Age 61 Educated Rye Grammar School, Oxford, Middle Temple QC 1975 Queen's Bench Knighted 1985



Lord Sweeney Age 61 Educated Rye Grammar School, Oxford, Middle Temple QC 1975 Queen's Bench Knighted 1985



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Financial Editor: Alex Brummer
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FinanceGuardian

Go-it-alone NatWest profit of £976m restores pride

Jill Tresson

NATWEST yesterday moved to restore its badly damaged prestige in the City by unveiling a stunning set of half-time figures which showed profits roaring ahead by almost 50 per cent.

Investors showed their approval by pushing the bank's shares up 10 per cent, the biggest rise since the pound crashed out of Europe's exchange rate mechanism in 1992.

The results — which showed pre-tax profits of £976 million — were a huge surprise for the market which had been looking for around £200 million at best. They provided a marked contrast to last year when the bank suffered the humiliation of finding a £30 million hole in its derivatives operation and threw in the towel on its expensive equities business.

Those troubles fuelled speculation that the bank was desperate to clinch a merger with a rival. But Derek Wanless, chief executive, said yesterday that NatWest could go it alone.

"We don't need an acquisition or consolidation. We think we can do very well in

Customer facts sent in stray fax to restaurant

Financial staff

IT WAS the last thing that restaurateur Nick Spary expected to see coming through the fax machine: confidential details of a dozen NatWest customers.

Instead of being sent internally to another part of

its business, NatWest sent faxes containing account numbers, sort codes and phone numbers for both private and corporate customers who had rung the bank's call centre in Theale, Berkshire.

The calls were supposed to be transferred to NatWest's Thames Valley

Service Centre but instead they were mistakenly faxed to Mr Spary, at the Marlner restaurant in Quay Street, Cardigan, west Wales.

"I couldn't believe it," Mr Spary said. "There were 12 pages of it, containing the sort of details that could so easily have caused chaos to people's bank accounts if it had fallen into the wrong hands."

"I have an account with the NatWest and I'm horrified at the thought that this kind of information can fly down a wire and end up at the wrong place."

When he rang the bank at Theale, Mr Spary was told the fax had been destined for its Thames Valley ser-

vice centre and "someone must have sent it to the wrong number".

NatWest last night was inquiring into the mistake. "We take it very seriously and we are investigating it fully," a spokeswoman said.

The bank usually used internal numbers to send faxes between branches, which made the stray fax extremely unusual. It has been established that the Theale centre had been trying to send a different fax to the Cardigan branch.

The faxes included details of customers who had been calling to query entries on their bank statements or asking for copies of cheques.

Chip Kruger, chief executive of Greenwich NatWest, said he was negotiating a new pay deal for its remaining staff, whose numbers have been halved as a result of the sell-off of the unwanted equity business.

Talks with the NatWest Group are focusing on ways to encourage staff to behave like shareholders, where bonuses might be linked to the returns earned for shareholders.

NatWest also admitted it is in the midst of renegotiating the generous remuneration packages for its 100 corporate finance staff in the US employed by NatWest Gleacher. The scheme is likely to match the deals agreed with the UK corporate financiers — now working at the operation known as Hawkpoint.

where 50 per cent of the profits are transferred to a "pool" and shared out as bonuses over a deferred period. The deferred period, thought to be between two to three years, effectively handcuffs the bankers to NatWest and prevents them being lured away by rivals for even larger pay deals.

NatWest's Global Financial Markets operation, which includes its dealing operation, made profits of £155 million, up 1 per cent.

Notebook

Whipping boy now a favourite



Edited by Mark Milner

NATWEST has been the stock market's whipping boy for so long that it is entitled to enjoy its sudden translation into darling-of-the-day, if not flavour-of-the-month.

A series of retreats, from the United States in 1996 and equities business last year, had left NatWest looking strategically bereft. Its management reported disaster and, most humiliating of all, the bank the subject of takeover speculation.

No longer. The 10 per cent surge to the share price in the wake of yesterday's interim figures — when the rest of the market was on the slide — was startling by any standards. Analysts enthused about the turnaround. Here was the NatWest playing to its strengths — the core UK banking business and asset management — and reaping the benefits.

Certainly the figures are good. It is impossible to see a 49 per cent rise at the pre-tax level in any other way, even if the increase was from a modest base. Costs are under firm control, loan provisions are down on the back of prudent lending and, at the halfway stage, NatWest is ahead of its self-imposed target of a 17 per cent return on equity for the year.

The only immediate question mark is whether the bank will be able to sustain the level of dealing profits.

In the longer run, however, there is perhaps another, deeper concern. NatWest's strategy ties it more closely to what is happening in the UK economy which may be heading for a bumpy ride.

NatWest appears to be clear about what it is doing and acknowledges that plenty more still needs to be done. It is to be hoped that the City is equally focused, otherwise NatWest's re-rating may prove undeservedly transient.

Ducking and diving

ONLY a few weeks ago there was concern as to whether or not Wall Street was incubating its own strain of the Millennium bug. When the Dow Jones Industrial average hit 10,000, analysts asked, would the computers be able to cope with a five-digit figure or would they crash?

The question was speculative, but not idle so. Back in mid-July the index stood at 9397 and there seemed little to prevent it powering further ahead — even if the rise was being driven more by the flow of investment cash into mutual funds, rather than by economic fundamentals.

These days it is a question of whether the market, rather than the market's computers, which will crash. The irrationality of the City these days, Nomura has just issued a "sell" note on Newcastle. Its value has slipped by £50 million from its £155 million float value just over a year ago. Nomura calculate that it is still £20 million too high.

Aside from the financial implications of players' wages rising at 25 per cent a year and the need to find a way to restore the team's fortunes on the pitch, reinstating Hall and Shepherd to the club after just four months in disgrace, say the brokers, "confirmed our worst fears" and "will inevitably lead to a further fall in the share price".

Mr Cassidy must be a masochist or soccer mad — not cuts in different things on Tyneside or simply addicted to life in the boardroom.

Lord Marshall was appointed to chair the Government task force in March, after last year's Earth Summit in Japan, which agreed binding limits on emissions of greenhouse gases such as carbon dioxide.

In a consultation paper published in June he outlined how trading of emissions permits could help cut pollution, and considered taxes on energy followed by a report by the Government's business advisers on the environment, which advocated economic measures so long as they were designed with business in mind.

Lord Marshall said the measures could help reduced harmful emissions by working through the price mechanism.

TOURIST RATES — BANK SELLS

Australia 2.61	Germany 2.80	Malaysia 6.76	Singapore 2.75
Austria 19.71	Greece 406.46	Netherlands 2.15	South Africa 9.90
Belgium 57.94	Hong Kong 12.24	New Zealand 3.09	Spain 237.44
Canada 2.33	India 89.57	Norway 12.03	Sweden 12.08
Cyprus 0.825	Ireland 1.09	Portugal 208.28	Switzerland 1.25
Denmark 10.78	Israel 5.50	Saudi Arabia 5.99	Turkey 428.640
Finland 5.83	Italy 2.785	USA 1.58	
France 5.93			

Supplied by NatWest (excluding rupee, shilling and malawi)

Only three take hotline calls

Rupert Jones

THE new Treasury economic secretary has pledged to maintain the pressure on firms guilty of pensions mis-selling. But she expressed surprise that a vital helpline dealing with calls from potential victims of the scandal was staffed by only three people.

Patricia Hewitt was speaking during a visit to the Financial Services Authority yesterday where she met a helpline unit staff who handle calls from those who may have been mis-sold a personal pension.

The three staff handle between 60 and 100 calls a day each, from basic questions to complex queries on compensation. Ms Hewitt said much work remained to be done in clearing cases and insisted that there will be "no hiding place" for insurance companies and advisers.

Her remarks coincided with a fresh clampdown on firms which gave had pension advice between 1988 and 1994. It was announced yesterday that 26 companies — mainly small independent fi-



Patricia Hewitt, new economic secretary, with Jamie Chalmers, left, and Kamal Hussein during her visit to the FSA helpline PHOTOGRAPH: ROMA HANSON

nancial advisers — have been fined a total of £105,750 after failing to meet deadlines for compensating victims.

Any joy in the financial services industry at seeing Helen Liddell, who led the crusade

against mis-selling, promoted to the Scottish Office quickly evaporated when Ms Hewitt promised to be just as tough as her predecessor.

"Firms big and small will not be allowed to bury their

heads to the sand. Failure to act means disciplinary action," she said. Of particular concern was the poor progress being made by some IFAs at sorting out cases.

The FSA indicated the helpline unit could be given more staff if the level of calls required it. There are several other helplines dealing with other investor queries.

Yesterday's disciplinary action comes a month after 41

firms were penalised with fines of £187,000 for missing the deadline for compensating urgent cases of mis-selling. Regulators indicated there may be a further 100 such fines in the pipeline.

Professor says the Bank is wrong on inflation

Mark Atkinson Economics Correspondent

THE all-powerful monetary policy committee at the Bank of England is misleading the country over inflation, according to one of the world's leading experts in econometrics.

Professor Ken Wallis of Warwick University says the MPC — which meets today to discuss a possible further increase in interest rates — is ignoring the accepted academic technique for calculating predictions of the rate of inflation.

Instead, says Prof Wallis, the MPC uses its own judgment approach, which, not unsurprisingly, shows the rate of inflation heading towards its target.

The standard academic method would tend to have shown inflation rising faster than the MPC's forecast in the last year or so and Prof Wallis believes that interest rates may need to be higher than the current 7.5 per cent if inflation is to hit the Government's target.

"It's not a comfortable conclusion for the liberal-minded

to come to," said Prof Wallis yesterday.

City economists sympathise with Prof Wallis's view. One, who did not want to be named, said Prof Wallis was an exceptionally good econometrician. "If he says the Bank is doing something wrong technically in its modelling, then you can be pretty confident that it is."

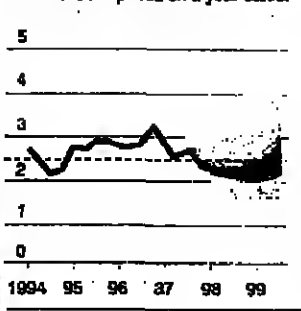
His criticism centres on the way in which the MPC draws up the so-called "fan" chart

Inflation

The Bank of England's on target forecast

August 1997 inflation report

% increase in prices on a year earlier



which shows a range of possible paths for inflation over the next two years. Each is coloured a different shade of red — hence the chart's nickname, the Rivers of Blood — and the closer the path is to the MPC's central forecast the deeper the shade of red.

Prof Wallis says the chart is a welcome acknowledgement by the MPC that inflation forecasting is an imprecise science but he claims the way it is presented obscures an in-

flationary bias in the central forecast.

Instead of the MPC opting for its judgment of the most likely outcome, Prof Wallis says the committee should be following normal statistical practice and expressing its central forecast in terms of the expected average value of inflation.

If it did this, the central projection would have been higher in recent years. David Walton, UK economist at US investment bank Goldman Sachs and an adviser to the Commons Treasury committee, said: "I think the problem is that the Bank will always be reluctant to show inflation far from the target in either direction."

"So it shows a path close by and calls it the mode [the most likely outcome in the view of MPC members]. The econometric model churns out the mean [the average outcome on past experience]. Sometimes the two differ quite a bit."

This means that the MPC is likely to underestimate inflation in economic upswings and overestimate it when the economy turns down."

The implication of overesti-

mate of slowing growth has been borne by interest rates, which impact unevenly on the manufacturing sector through upward influence on the pound.

Yet manufacturing is one sector where there may be little inflationary pressure. "By not targeting consumers and the service sector directly, the Government risks producing a harder landing than is necessary to achieve the inflation target."

Nevertheless, the LBS says talk of recession is alarmist. It predicts a gradual slowdown in growth to 2.2 per cent this year and 1.3 per cent in 1999 before it picks up again in 2000 to 2.2 per cent.

They also dismiss the possible policy implications, arguing that actual monetary policy is based on discussion of the forecast and all that goes into it. The chart is merely a presentational aid, the bank's staff argue. Prof Wallis accepts that the chart is just a presentational aid, but says it is misleading. "The Bank could do better," he says.

The Bank's staff have examined Prof Wallis's paper and concede that the chart can be presented in a number of ways but insist that Prof Wallis's is not necessarily the right one.

Prof Wallis's paper and concede that the chart can be presented in a number of ways but insist that Prof Wallis's is not necessarily the right one.

CBI attacks plan for energy tax

Roger Cowe

THE Confederation of British Industry yesterday attacked plans for an energy tax put forward by a government task force chaired by Lord Marshall, the organisation's former president.

The business lobby said taxing industrial energy consumption could hit competitiveness and may not achieve the intended environmental improvements.

Peter Agar, CBI deputy director-general, said: "A single energy tax across industry is not the way forward. Taxes would have to be very high to change behaviour significantly, and in doing so could adversely affect our competitiveness."

Lord Marshall was appointed to chair the Government task force in March, after last year's Earth Summit in Japan, which agreed binding limits on emissions of greenhouse gases such as carbon dioxide.

In a consultation paper published in June he outlined how trading of emissions permits could help cut pollution, and considered taxes on energy followed by a report by the Government's business advisers on the environment, which advocated economic measures so long as they were designed with business in mind.

Lord Marshall said the measures could help reduced harmful emissions by working through the price mechanism.

مكتبة الصالح

Cricket

Australia appeal for lbw by video

Mike Selvey

THE sound of breaking glass as another bat is flung through a dressing-room window by an aggrieved batsman could become a thing of the past by the millennium if Australian plans to extend the use of technology in assessing umpiring decisions come to fruition.

The Australian Cricket Board yesterday called for the development of computers and cameras to deliver fool-proof leg-before verdicts. Video replays are currently available to umpires in international matches but hitherto they have been used only for run outs, stumpings, boundary calls and, latterly, to assess whether catches have been taken cleanly. But, according to the ACB national umpiring manager Tony Crafter, there is no reason why, in the next year or so, leg-before decisions should not be delivered with the benefit of new technology.

"I wouldn't want to see the human element completely taken out," admits Crafter, who before his retirement was Australia's leading umpire. "But I would like to see what is being proposed. It is important in cricket and modern sport in general that the right decisions are given. The lbw is a decision that relies entirely on the umpire's discretion."

There is little evidence to suggest that the standard of umpiring has fallen in recent years but the use of television replays, often in super-slow motion, and the employment of video screens for spectators

have meant the fallibility of officials is more exposed. Simply maintaining a *status quo* is not sufficient in such a high-pressure era, where the stakes are high and getting higher.

Already this summer Mark Ramprakash and Allan Donald, one directly to an umpire, the other in print, have expressed the view that inaccurate decision-making has a direct bearing not only on matches but also on careers, and it is hard to argue that the game would not be the same without the human element and all its failings.

If players are to accept decisions with equanimity, as they are expected to, then they deserve the most accurate possible decision-making process. Nobody seriously believes that the use of the third umpire for line-calls has detracted from the game; the sense of theatre while a decision is being reached actually enhances the experience.

More than a decade ago the then Test and County Cricket Board set up a working party under the chairmanship of the physicist and astronomer Sir Bernard Lovell to investigate the use of "artificial aids" to detect and differentiate, among other things, the sounds when a ball strikes the edge of a bat, pad or both. The findings are filed away at Lord's.

This week the head of the Sports Research Unit at Cape Town University has said he could develop in weeks a camera-based system that would accurately predict the path of a ball for leg-before decisions while the same research team have suggested a microchip in the ball would be able to detect whether contact had been made with bat or pad.

Days of hope



The last success... Chris Broad, in towel, joins in the celebrations in Melbourne after England's victory won the Ashes in 1986. PHOTOGRAPH: ADRIAN MURFELL

The undaunted Spirit of '86 could end England's twelve barren years

David Foot talks to the opening batsman Chris Broad, whose towering presence dominated the last major series victory

CHRIS BROAD's bat dripped with gold during the 1986-87 tour of Australia, the last time England won a major series. He scored hundreds in three successive Tests, at Perth, Adelaide and Melbourne, topped the averages at just under 70 and earned himself the keys of an Alfa Romeo as International Player of the Series.

The left-hander's residency at the cruce seemed reassuringly permanent. He had the build of a rugby No. 8, which he used to be after all. The stance was upright, posterior distinctly protruding. No one in those days could clip better off his legs. He was blessed with courage, as paraded against the West Indies fast bowlers, and cursed on occasions with the burden of a self-critical, petulant temperament.

There was always an independent streak to his nature.

It was noted at both Bristol and Trent Bridge, where he chose to go to enhance his Test prospects, Pakistan wanted him to be sent home after he refused to accept he was out, caught at the wicket, in the Lahore match during the acrid 1987-88 series. There was also the histrionic wood-chopping with his bat during the Bicentenary Test at Sydney that brought much tut-tutting back at Lord's.

Today Broad is a member of the BBC's TV Test match panel. As a summariser, his opinions are sensible and considered. He was always one of county cricket's more articulate and perceptive practitioners. Like many a past maverick, he has now veered towards the game's establishment in some ways, as one of the voices of authority while sharing the box of wise words with Benaud and Co.

Eleven and a half years on, after England's conquest of

Oz, Broad is able to take a fond though detached view of what happened then. He lives back in Bristol, where he was born and where he went to school at Colston's, under the wizen, wonderful tutelage of Gloucestershire's one-Test all-rounder Reg Sinfield.

What was there about that Eighties tour? After all, England had just lost three series on the trot and suffered eight wretched defeats, without a

— with his British bulldog approach. It was in every sense a happy, relaxed tour with the players allowed to do their own thing up to a point.

"Yet nothing had gone our way in the opening fixtures. There was that much-quoted report from cricket writer Martin Johnson just before the Brisbane Test, saying we had only three problems: we could not bat, bowl or field. Photocopies were sent to us

the players are now a bit fitter. There's more emphasis on things like diet and mental attitude. Such considerations are valid if they improve performances. But I question whether they do. The game is difficult enough without the players having to concern themselves with these additional aspects.

"I'll be the first to cheer if we win at Headingley and I believe it can be done. But England had the champagne out on the balcony at Trent Bridge. That seemed to me rather misplaced and premature. Did they get just a little carried away?"

Broad, a gifted and possibly underestimated cricketer, has not always had an easy life. He was seriously ill with a bone marrow defect in his early teens and faced disappointment throughout his career.

"I was booted out at Notts two years short of what should have been my benefit. The club awarded one to themselves instead. And an arthritic hip ended his not entirely cordial return to Gloucestershire."

Now he has a new hip and a new career in broadcasting. He remains an amalgam of charm and forthrightness which has at times worked against him. Never one to compromise, he says: "There are still too many amateurs in professional cricket. Take the 18 chairman who liaise with the Cricket Board. In a professional game I'm simply not in favour of the amateurs being able to make the decisions."

single win in 11 Tests?

"Well, there was Ian Botham for a start. We'd had a nightmare beginning and by the time we got to Brisbane for the first Test some of the senior players were just kicking into gear. When it came to the team talk on the eve of the match, Micky Stewart and Mike Gatting had their say and then 'Both' was asked what he thought."

This, according to Broad was when the tour started. "I ranted and raved a bit, full of expletives as well as good sense. He assured us that, if we failed, we'd have him to answer to — and he was really only a senior player. I listened and admired his attitude. Blimey, (this word was not in the dictionary until he was gone. As an individual he could handle it."

"Both was such a great influence in that series, especially when things were not going terribly well. On his own could change things either with bat or ball, in half an hour. I remember how he'd take on Merv Hughes and win. He'd take the Aussie attack apart. We would watch from back in the dressing-room and be caught up in his enthusiasm. He could, we felt, win us the game when bobbling on one leg."

"Peter Lush and Micky Stewart were our managers. And then there was 'Gee' — who'd taken over from David Gower as captain by this time

and they helped to act as the catalysts we needed. We decided we weren't going to be written off. In fact, from then on we never doubted that we would win the series."

From that calamitous start, when England were bowled out in less than four hours by Queensland and then showed equally poor form against Western Australia, Allan Border and his side were the undisputed favourites. That helped to cement an outstanding team spirit visible on the field, which did not desert the tourists. Because of a rib injury Botham was missing, not least his vociferous goading, for the Adelaide Test. Back he came for Melbourne at medium-pace off a restricted run and still took five for 41.

"I don't think too much has changed in the meantime," Broad continues. "Perhaps

Rugby Union

Beaten Cardiff ready to quit Wales

Paul Ross

CARDIFF yesterday reached the point of no return in their move to join the proposed European club tournament that would supersede the Heineken Cup.

The wealthiest club to Wales lost their High Court case with the Welsh Rugby Union and will now face expulsion if they join the elite breakaway clubs.

Dennis Gethin, the WRU secretary, was delighted with the ruling but still felt the victory rang hollow. "It gives us no great satisfaction at having to contest an action with one of our leading clubs," he said. "But it is vital that we all work together to achieve success for Welsh rugby as a whole."

The three Celtic nations have voiced collective disapproval at the proposed European Club Super Competition. They are unhappy with the Rugby Football Union which is applying concerted pressure on the French federation (FFR) to win them round to the merits of a 32-team tournament. It would feature 14 clubs from England, 14 from France, two from Scotland, and Cardiff and Swansea. Matches would be played on Saturdays rather than in mid-week as originally intended.

The Celtic unions have all spoken to Bernard Lapasset, the president of the FFR, and have formed the intention that the French will back the beleaguered European Rugby Cup which meets in Dublin on Friday. Their spleen is thus reserved for the RFU.

"We should all tell the RFU to get stuffed," said the former Scotland flanker John Jeffrey, an ERC director. "The whole thing stinks. The RFU are shareholders in ERC and, as such, they should be supporting the Heineken Cup rather than trying to bring it down. They should stand up to the owners of the English clubs who are motivated by their own interests, not those of European rugby. The French must stand firm and the IRB should get involved."

The president of the Irish RFU, Noel Murphy, was equally forthright. "By their activity the RFU and the English clubs are likely to endanger and damage the interests of the other unions willing and anxious to take part in the two European competitions this season."

Naturally Cardiff see it differently. "If the French give their consent, the new European tournament will go ahead," said the club's chief executive Gareth Davies. "We would join it because it offers clubs and unions the chance to work together, clubs running their competitions and the union looking after the international game."

Ramprakash proves fitness

MARK RAMPRAKASH successfully came through a voluntary net session at Headingley yesterday, calming England's fears over his fitness before the deciding Test against South Africa starting there tomorrow.

The Middlesex batsman had tonsillitis just before the last Test at Trent Bridge but justified his decision to play by scoring an unbeaten 67 in England's first innings.

When he failed to get better after that match, the selectors

put John Crawley, Nick Knight and Robin Smith on a short-list of possible replacements.

Ramprakash was joined at yesterday's net session by Andrew Flintoff, the captain Alec Stewart, Michael Atherton and Nasser Hussain.

"I'm hoping to play but the illness does leave me feeling a little tired and lethargic," Ramprakash admitted. "I'm happy with the way things are progressing." Tests have ruled out glandular fever.

Police to adopt 'soccer' security

POLICE are to use football intelligence and high technology in their attempt to control the crowd at the fifth Test between England and South Africa which starts at Headingley tomorrow.

In the past there has been trouble on the Western Terrace, which holds 5,000, and disturbances during the first Test at Edgbaston have led West Yorkshire Police to adopt similar methods to those used by the National Football Intelligence Unit.

For the first time at a Test in England there will be video surveillance equipment and plain-clothed "spotters" with knowledge of local hooligans.

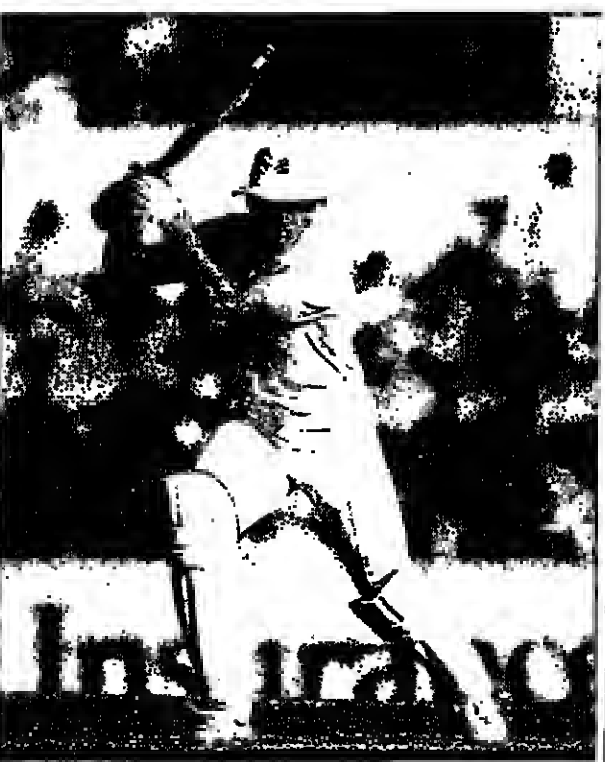
David Boyle, the match commander for police operations at Headingley, said: "There is increasing evidence that people are attending in order to extend their football xenophobia within cricket. We have

seen this in the wearing of football stripes, the football banners in the crowd and organised chanting."

Alcohol will be banned on the Terrace and spectators in other areas will be limited to one bottle of wine or four cans each. The restrictions on fancy dress implemented during the Texaco Trophy at Headingley and adopted at Old Trafford for the third Test will also be in force.

The drive follows a number of serious incidents during Headingley Tests. In 1992 a pig's head was paraded on the Western Terrace during the visit of Pakistan in 1992, and in 1993 the reserve wicket-keeper Tim Zoster was punched as he boarded the Australian coach during the Ashes series.

Despite the interest since the Trent Bridge victory 6,000 tickets are available for tomorrow, 1,000 for Friday and 2,000 for Saturday.



Driving force... Broad on his way to 162 in Perth

Athletics

Malcolm runs out of steam

Duncan Mackay in Cardiff

CHRISTIAN MALCOLM was given the kind of valleys welcome befitting a record conquering hero in last night's Welsh Games at the Leckwith Stadium. But the teenage sprinter, winner of two gold medals at last week's World Junior Championships, disappointed the crowd gathered to greet him by withdrawing from the 100 metres because of tiredness.

Nine races in six days took their toll on the 19-year-old Newport sprinter and his efforts last night were confined to a low-key relay.

Malcolm, who is on the books of Lifford Christie's management agency, will make a short break before racing in Zurich next Wednesday, the scene of his victory over Carl Lewis 12 months ago.

It was the second consecutive occasion the Welsh public had been disappointed as

last year Frankie Fredericks had been refused permission to compete in the meeting by the Namibian federation.

But Paul Gray gave them something to cheer when he raced to victory in the 400m hurdles, claiming the scalp of Kenya's African champion Eric Keter.

Since coming under the coaching guidance of Christie, the 26-year-old has improved beyond recognition. He has broken through the 50-second barrier and cracked the Welsh record twice.

"It's an awesome feeling having Lifford as your coach and backer," said Gray. "When I was younger he was my ultimate sporting hero — and now he is my coach."

Denise Lewis, the world heptathlon silver medalist, used the event as a final warm-up before the European Championships. She will have been encouraged by her performance in the 100m hurdles, finishing second to Jamaica's Bridget Foster.

Sailing

Cudmore bows to bigger boats

Bob Fisher at Cowes

PETER HARRISON, the charterer of *Russe Noir* 98, the boat which won Class 1 on the two previous days, said: "It was perfect." He was referring not so much to the boat as to the conditions.

Sunshine and 12-18 knots of north-westerly breeze saw smiling faces on the 835 competing boats, who all had a downwind start to the east hawane racing towards the west.

Harrison's charter includes the services of Harold Cudmore but even he could not squeeze the extra fractions of a knot out of *Russe Noir* that were needed for her to win yesterday and things did not go his way. "It's the bigger boats to whom we have to give time that hurt us today," he said.

He was right. Richard Loftus's Swan 65 *Accurist*

won the day's top prize, the Bathsheba Trophy, by six minutes while *Russe Noir*, second across the line, slipped to eighth after the handicaps had been computed. Richard Matthews' 12-metre *Crusader* took third place.

The good weather may have accounted for some of the Class 2 competitors sailing the wrong course. Not too many wanted to stay below to listen to the radio for the instructions, which were altered after the course had first been set. Only three boats sailed the correct course, two of which might have won anyway. Stephen Fein's Swan 48 *Full Felt*, sailed by Jn Richards, was 2½ minutes better than Ken Trench's *Diva*.

Stephen James, owner of the Swan 40 *Jacobite* protested over *Full Felt* and *Diva*, alleging they did not sail the correct course. The outcome may see the race declared null and void.

Hockey

England cut a sharper edge

Pat Rowley

ENGLAND women have since the World Cup and yesterday Canada felt its steel when they went down 5-3 in the first match of the three-Test series at Milton Keynes.

Canada took the lead through Kristen Taunton before Denise Marston-Smith converted a penalty to equalise and Pina Cullen saw England to a 2-1 half-time lead.

Cullen made it 3-1 from a corner but sloppy defence let Chris Hunter and Jenny Zink-McGrath level.

But England responded quickly and a perfect through-ball from Jacky Empson was lashed to goal by Jane Sixsmith, who broke through again to present Jane Smith with England's fifth.

Read the game



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Every day in *The Guardian*

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Hendry signs at Ibrox, page 14

Australians call for lbw cameras, page 15
Cardiff face expulsion from Union, page 15

SportsGuardian

Festina trio back in action

William Fotheringham on yesterday's return to racing of riders thrown off the Tour de France who have admitted taking drugs

ALEX ZILLE, Laurent Dufaux and Armin Meier, the three Swiss cyclists who were thrown off the Tour de France over doping and later confessed to using the banned drug erythropoietin, returned to racing yesterday evening in the A Travers Lausanne event.

If the trio had wanted to underline the apparent lack of interest on the part of the governing body in punishing them, they could not have chosen a better location: the little Swiss town to the north of Geneva is the home of the Union Cycliste Internationale and the IOC.

The UCI's drug rules are

specific: "A rider who declares or admits having used doping substances without the usage being established by a dope control will be considered as positive on the day of his admission."

All three confessed to police in Lyon on July 22 that they had used the drug and followed that up with interviews to newspapers and television.

Meier, for example, said he had used the product for two years; Dufaux explained how he had raised his red blood cell level using it.

They, therefore, each face a ban of between six and 12 months, and a fine of £1,200. They are effectively being

allowed to race because cycling's governing bodies are passing the buck over what is a case without precedent. Leon Schattberg, a member of the UCI's anti-doping commission, explained: "In the rules it says that, if someone has broken the anti-doping rules, it is up to the national federation to make inquiries and sanction them within 30 days."

However, the Swiss Cycling Federation does not appear in any hurry to move the process along. Its president Hugo Steiner said yesterday it was unacceptable that sanctions be left to individual national federations, and the

Tour made their comeback in a circuit race in the Norman town of Lisieux. Pascal Hervé did not crack under police questioning over EPO use but the world champion Laurent Brochard did confess, although he has said he will sue the Tour organisers for expelling him.

The after-shocks of the drug scandals that rocked this year's Tour continue. Yesterday the Spanish team, once said they will not race in France again this year, and the Tour of Spain organisers may well change the route of a stage which makes a 50-mile incursion on to French soil.

The Spanish Cycling Federation withdrew its team from the women's Tour de France.

Tomorrow and Friday the UCI will hold a two-day brainstorming session over the

drug problem with riders, teams and race organisers. We doubt the sight of cyclists who have confessed to using banned drugs racing outside its front door while awaiting punishment will have given food for thought.



Zille... loudly cheered

drug problem with riders, teams and race organisers. We doubt the sight of cyclists who have confessed to using banned drugs racing outside its front door while awaiting punishment will have given food for thought.

The patriot bows to true speed



Paul Weaver

ment as Michael Holding bowled an over to Geoffrey Boycott that more resembled an electrical storm than a piece of cricket.

Later that year, at The Oval, even a diminished Dennis Lillee bowled a spell against England that took the breath away. There are moments that set the pulse racing: impeccable images of Brian Khan, all leap and inswing and menace; Waqar Younis sprinting in to unleash ton-crunchers; Malcolm Marshall swinging it both ways at his best.

There is Holding again, at The Oval in 1976, and his memorable reprise there eight years later, when he lengthened his run to mark his last Test appearance in his country. Well, it will be Donaghy's farewell Test appearance here this week, and I hope he gives us something to remember him by, even though his memory banks are already full to overflowing.

It would be even better, of course, if the fast bowler were running in for England. But we do not make ships or fast bowlers any more. At least, they do not come off the production line. As with Aston Martins, the quicks are hand-built and can take ages to arrive.

HAROLD LARWOOD would be pushing 94 now. Frank Tyson was 68 last month and Fred Trueman is a year younger. John Snow is the same age as Cliff Richard, which puts him somewhere between neolithic and mesolithic.

Snow was the last English fast bowler to get excited about his looked harmless grating down at third man, with hands on thighs and nose thrown high as if to scent a passing gnat. In county cricket he usually was harmless, unless he looked up and saw Boycott or Barry Richards, who once saluted the bowler at Hove after receiving a ball that swung in to middle stump before cutting away to "flatten the off. But remember how he destroyed Australia in 1971.

Those of us who were in Australia in 1986-87, swaggering about as Mike Gatting's side won everything, would have only eyed the experience even more if we knew we would have to wait so long for another major Test series win.

Meanwhile there are some things better than watching Donald bowl against England. Eighteen months ago, in South Africa, he tore in to bruise Australians. Now, that really was a joy to behold.

Simonsen set to become costliest keeper

Ian Ross

TRANMERE Rovers' Steve Simonsen is poised to become the most expensive goalkeeper in the history of British football at the tender age of 19.

Although the Tranmere manager John Aldridge has insisted at regular intervals throughout the summer that the England youth international will not be made available for transfer, his departure from Prenton Park — quite probably to Everton — seems inevitable.

Simonsen will cost at least £4 million, a figure which comfortably surpasses the current record of £2.4 million paid by Leeds United to Crystal Palace for the England international Nigel Martyn two years ago.

Three weeks ago Aldridge quoted what he described as a "non-negotiable" figure of £3 million when Sunderland attempted to buy him.

Although Everton would not be willing to invest quite so heavily in a player who has made only a handful of first-team appearances, they are prepared to offer a package which, in the fullness of time, could see Simonsen valued at £4.5 million.

Talks began in earnest late last week and, if Aldridge can be persuaded to accept a down payment of £3 million, Simonsen could move to Goodison Park early next week.

Everton's plan is to set up an instalment deal which would culminate in a final payment being handed over if Simonsen represents England at senior level.

Although the current Everton goalkeeper Thomas Myrnes was acclaimed as the natural successor to the veteran Neville Southall after a series of impressive performances last season, the Merseyside club's manager Walter Smith has reservations about the Norwegian international's ability at the highest level.

Ideally Smith would like to complete the signing of a new goalkeeper before the Premiership campaign opens on Saturday week.

Although Everton are not the only Premiership club to have expressed an interest in Simonsen — Arsenal have asked to be kept informed of developments — they would probably be given first option were he to be put up for sale simply because their chairman Peter Johnson was previously chairman at Tranmere.

Smith, since succeeding Howard Kendall six weeks ago, has spent more than £10 million on new players, an investment which would rise to around £17 million if he was to complete the signing of Simonsen and bring back the Aston Villa defender David Unsworth.

Tranmere are on the brink of re-signing the Manchester City midfielder Ged Brennan,



Saving as he earns... the £4 million-rated Steve Simonsen in action for England Under-18s last season. MICHAEL STEELE

who moved to City only 16 months ago for £750,000. The club have agreed an outline deal and Brennan has now to agree personal terms.

Liverpool's protracted search for a centre-back will end shortly with the arrival at Anfield of the German international Christian Wornas.

The 25-year-old Wornas, who represented his country in the World Cup finals — and was sent off against Croatia — is anxious to move to England even though he completed the formalities of a free transfer, under the Bosman ruling, between Bayer Leverkusen and Paris St-Germain

only three weeks ago. The French club may well decide to sell the unsettled Wornas because, with this player now safely under contract, they will be able to demand a fee of around £4.5 million.

More transfer news, page 14

Hoddle picks up with a blend of youth

Martin Thorpe

GLENN HODDLE looked to the future yesterday and found familiar problems from the past as he announced a depleted 39-man squad for a two-day training get-together before England's opening European Championship qualifier in Sweden on September 5.

Club commitments have deprived him of all Arsenal and Liverpool players for the first gathering of the national squad since their World Cup ended in tears in St Etienne.

Even so, there is still no place for Paul Gascoigne, who has much to prove on and off the pitch if he is ever to win Hoddle's admiration. How-

ever, forgiveness has been shown to David Beckham after his moment of mid-summer madness and he will join the party at Blenheim Abbey on August 15-16.

The get-together was the idea of the clubs. Mindful of their potential sensitivity to players being called up for a friendly day after the start of the new season, the Football

Association wrote to all the top clubs asking whether they would prefer England to play a game or have a get-together in this international-designated week. A training session got the nod.

However, Liverpool's visit to Southampton on August 16, plus Arsenal's game at home to Nottingham Forest the following day, has still deprived Hoddle of the likes of David Seaman, Tony Adams, Paul Ince, Steve McManaman and, of course, Michael Owen.

So Hoddle has decided to take a look at a group of up-and-coming players including Ipswich's highly rated Under-21 goalkeeper Richard Wright, his team-mate Kieron Dyer, the wing-back Carl Serrant, recently signed by Newcastle from Oldham, the Sheffield United forward Wayne Quinn, the Norwich winger Darren Eadie along with the strikers Emile Heskey of Leicester and Darren Huckerby of Coventry.

This represents continuity; all but Huckerby were in the last England B squad for the game against Russia in April.

These newcomers' collective joy will be matched by the

relief of others who had to suffer the disappointment of being jettisoned from the England squad days before the World Cup. Gascoigne aside, Hoddle has shown renewed faith in five of the eight players who were cut from the pre-tournament 39 — Dion Dublin, Nicky Butt, Phil Neville and Andy Hinchcliffe, who were dropped, and Ian Wright who was injured. Andy Cole, who did not even make the 30, is also back in favour.

However, there is no place for the crucial penalty-taker against Argentina, David Batty. But this is not a punishment; the player must serve a five-match ban from the start of the season, so he is taking the opportunity to have an operation on a nagging injury.

The squad

The Players (Blackburn), Nigel Martyn (Leeds), Ian Walker (Tottenham), Richard Wright (Ipswich), Karl Chancellor (Tottenham), Wayne Quinn (Sheff Wed), Carl Serrant (Norwich), Kieron Dyer (Ipswich), Darren Huckerby (Coventry), Phil Neville (West Ham), Gareth Southgate (Aston Villa), Gary Speed (Sheff Wed), Nicky Butt (Manchester United), Steve McManaman (Tottenham), David Seaman (Manchester United), Darren Eadie (Norwich), Wayne Quinn (Sheff Wed), Carl Serrant (Norwich), Kieron Dyer (Ipswich), Darren Huckerby (Coventry), Phil Neville (West Ham), Gareth Southgate (Aston Villa), Gary Speed (Sheff Wed), Nicky Butt (Manchester United), Steve McManaman (Tottenham), David Seaman (Manchester United), Darren Eadie (Norwich), Wayne Quinn (Sheff Wed), Carl Serrant (Norwich), Kieron Dyer (Ipswich), Darren Huckerby (Coventry), Phil Neville (West Ham), Gareth Southgate (Aston Villa), Gary Speed (Sheff Wed), Nicky Butt (Manchester United), Steve McManaman (Tottenham), David Seaman (Manchester 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